

**THE ESTABLISHMENT OF BRITISH RULE  
IN THE SIERRA LEONE PROTECTORATE: 1896-1924**

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### Abbreviations Used in Footnotes

A. D. C.	Assistant District Commissioner
B. M. C.	United Brethren in Christ Board of Missionary Correspondence for Sierra Leone
c.	confidential dispatch
C. O.	Colonial Office
C. S.	Colonial Secretary
D. C.	District Commissioner
E. U. B.	Evangelical United Brethren
Govr.	Governor
N.	Northern
n. s.	new series
O. A. G.	Officer Administering the Government
P. C.	Paramount Chief
P. R. O.	Public Record Office
S. L. A.	Sierra Leone Government Archives
U. B. C.	United Brethren in Christ
W. A. F. F.	West African Frontier Force

## SUMMARY

This study of the establishment of British rule and its influences during the first three decades of the Sierra Leone Protectorate is one of the origins and nature of the administrative structure, the tax and the judicial systems. The prevailing attitudes of colonial administrators towards educated Africans is shown to have played a major role in the type of use to which such people were put as Government officials, and the extent and nature of Government-sponsored education in the Protectorate. The response of the indigenous population to colonial rule and the effects of the presence of administrators, and of their policies and practices, are integral parts of this investigation. Resistance to British rule after the 1898 Hut Tax Rebellion is found largely in less overt forms of expression than outright revolt. The influence and activities of secret societies are considered in this context.

The form of indirect rule which characterized the administration of the Sierra Leone Protectorate during the years under review had inherent contradictions. The governing policy sought at one and the same time to maintain the status quo and to undertake such disruptive activities as the construction of roads, railways, and schools deemed necessary to tap the resources for revenue purposes and to rule effectively. Investigation into the manners in which indigenous rulers, chiefdom political units, and political organizations were identified and utilized by the Government reveals

sources of alteration within the traditional power structure as well as in the relationship between the rulers and their subjects.

Differential response to British rule, as well as its effects on the institutions and the inhabitants of diverse parts of the Protectorate, is noticeable as a result of a variety of factors. Among the considerations in this context are the extent and nature of contact with Europeans prior to the declaration of the Protectorate, the degree to which chieftdom rulers alienated their subjects by collaborating with the Administration or by converting their political positions into economic advantage, and the European decisions where to locate schools, missions, rail lines, experimental farms and other undertakings of an invariably disruptive and modernizing nature.

The impact of British rule on the majority of the inhabitants of the Sierra Leone Protectorate was limited during the early years under review. By the 1920's education policy was being revised, department staffs being enlarged and specialized, Paramount Chiefs being selected to sit with the Legislative Council, and the abolition of domestic slavery being planned. These and other changes signalled a new era of Protectorate administration which was to affect an increasing percentage of the people. The establishment of order and the mechanics of rule had been accomplished to a large extent. Colonial officials now turned their attentions to the development and the future of the Protectorate.

## INTRODUCTION

On the 31st of August 1896 a Protectorate was declared over the hinterland adjacent to the Colony of Sierra Leone. This act was the culmination of decades of varying degrees of interference by the Sierra Leone Government with the inhabitants of the territory in attempts to protect commercial interests vital to the economy of the Colony. Considerations of British political and economic policies, domestic and foreign, were instrumental in determining the nature of the relationship between the Freetown Government and the sovereign rulers of the areas in proximity to the Colony.

Matters of practicality and conviction dictated the type of administration designed by the government officials in Sierra Leone under the watchful eyes of colonial officers in Whitehall. It was not only the assessment of the colonial situation which resulted in governing through the indigenous rulers. Such a policy also reflected the desire to not alter existing institutions or basic patterns of living beyond purging them of practices which were considered by the British to be unjust or inhumane.

The Protectorate, an area of over 27,000 square miles with a population officially estimated at less than a million, was divided into five administrative districts which conformed where possible to what were believed to be the traditional tribal boundaries. To each district were

assigned a European District Commissioner and a European District Surgeon; a complement of African staff to serve as Court messengers, interpreters, clerks and gaolers; and a company of Frontier Police.<sup>1</sup>

The Frontier Police were to keep the peace; the District Commissioner to administer justice, collect taxes and oversee the administration of the country through the chiefs and native authorities. Justice was to be obtained through a system of three courts which would provide British justice for British subjects in the Protectorate, while leaving the chiefs to judge their subjects in accordance with tribal law except for the more serious disputes and crimes which directly threatened British interests.

Throughout the years of British rule over the Sierra Leone Protectorate, ordinances delineating the powers and responsibilities of each level in the administrative hierarchy from the chiefs through the District Commissioners were altered. Often such revisions were attempts at clarification of the existing roles. However, legislation was also enacted in response to conditions arising from such situations as the Hut Tax Rebellion of 1898 and the influx of 'strangers' into parts of the Protectorate exposed by the railway.

Consideration of the mechanics of colonial administrative structure will reveal initiative left to various levels of the hierarchy and circum-

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1. Stephan, Paul B. Jr. Origins of the Sierra Leone Protectorate 1880-1900 (PhD. Yale, 1958) p. 14  
The Ronietta District reportedly had only a half company of Frontiers assigned to it in 1896.



stances for curtailment of that initiative by the upper echelons. Within these contexts it will be possible to see that the individuals who filled the posts brought to their jobs their own abilities, interests and senses of priorities and left the stamp of diverse personalities on the matrix of Protectorate administration.

This study of the establishment of British rule during the first three decades of the Sierra Leone Protectorate is one not only of the origins and nature of the administrative structure and the judicial system. The response of the inhabitants of the Protectorate to colonial rule and the effects of the presence of administrators no less than of their policies and practices also form integral parts of this investigation.

Despite the existence since 1890 of such institutions anticipating a protectorate as the Frontier Police and Travelling Commissioners, it will be argued that the indigenous rulers had little reason to suspect the ultimate violation of that 'working partnership' in which they largely had been regarded as sovereign powers.

The 1898 Hut Tax Rebellion will be examined only in terms of constituting the most overt response of previously independent people to the assumption of rule by the British. Subsequently it is necessary to identify resistance to colonial administration in more subtle forms. The influence and activities of secret societies will be considered in this context. It is equally important to indicate positive response to British rule and the

changes it brought to life in the Protectorate.

That essentially pragmatic form of indirect rule which characterised the administration of the Sierra Leone Protectorate during the years under review had inherent contradictions. A governing policy which sought at one and the same time to maintain the status quo and to undertake such disruptive activities as the construction of roads, railways, and schools deemed necessary for the effective rule of the Protectorate was not without discernible effects on the governed. It also will be argued that an element of racism was part of the philosophical basis of the type of colonial rule found in the Sierra Leone Protectorate in the first quarter of the twentieth century, and was reflected in the actions and attitudes of the Protectorate administrators.

The essence of indirect rule was to use the individuals and institutions which customarily commanded respect and authority to control and govern the people. However, an investigation into the manner in which the chiefs and chiefdom political organisations were identified and utilised by the Government will reveal sources of alteration within the traditional power structure as well as in the relationship between the rulers and their subjects. Exclusion of the powerful secret societies such as the Poro from the administrative hierarchy; recognition of rulers of smaller areas as having status equal to that of their overlords; the inclusion of previously independent communities into one chiefdom under a Paramount chief to

whom no prior allegiance had existed; the signing of treaties with minor, subordinate chiefs are all indicative of situations which will be seen to have affected the position of the chief both as a government agent and as an indigenous ruler.

This study will show that it was a consequence of the system of British rule in the Protectorate that having dictated certain individuals and institutions to be those to which the responsibilities of administration would be entrusted, the Colonial Government quite frequently found it necessary to intervene to preserve this system and to uphold the authority of their chiefs. The more the Government sought to deter the decay of the indigenous system and the presumably traditional bases of the chiefs' powers the more these efforts of support in fact undermined the institutions which the Government was striving to maintain.

Differential response to British rule, as well as its effects on the institutions and the inhabitants in diverse parts of the Protectorate, will be noticed as resulting from variation in several factors. Among the considerations in this context are the extent and nature of contact with Europeans prior to the declaration of the Protectorate, the degree to which chiefs converted their political positions into economic advantage, and the European decisions where to locate schools, rail lines, roads, experimental farms and other undertakings of an invariably modernising nature.

Problems of insufficient information, sources biased by the im-

print of personal prejudices as much as by ignorance or ulterior motive, and achievement of a clear understanding of a given situation plagued the colonial officials no less than they plague the researcher and writer of colonial history half a century later. The district officers had difficulties of linguistic and cultural interpretation to overcome to transmit orders, and to ensure that laws, directives, obligations and restrictions were comprehended. Each colonial administrator perceived his role and the way the Protectorate African reacted to British rule in a unique way which inevitably influenced the records he left as much as it did the practices he instituted and his implementation of policies.

A description and assessment of British rule in the Sierra Leone Protectorate during the years 1896-1924 depended largely on the records of the British Colonial Office staff and the Sierra Leone Government. Unfortunately these sources are deficient in certain respects. It should be recalled throughout this thesis that those primary accounts of reaction to and effect of colonial rule fall into two classes: reports and interpretations made by Europeans and Creoles of conditions or events; and written complaints and statements made by or on the behalf of people indigenous to the Protectorate. Interpretative material of the first category, and all documents of the latter type do not exist in quantity, and are not equally distributed over the years under review.

A further difficulty for the purposes of this study derived from the

fact that a disproportionate amount of the available material presents, not unnaturally, the non-African point of view. Colonial administrators diligently kept records; missionaries, merchants and military officers alike scrutinized their alien African surroundings and neighbours and left their observations for posterity. Not only are the accounts by the indigenous population few in number but they are unquestionably of a particular bias and cannot be regarded as representative of the majority of the inhabitants of the Protectorate. The very fact, for example, of a chief sending a handwritten complaint to the Governor against traders resident in his town cheating him is indicative of a level of education, orientation to European political procedures and involvement in commercial activities by no means possessed by chiefs throughout the Protectorate. Such sources are invaluable for analysing various influences of British rule in the Sierra Leone Protectorate on a segment of the population. However, there are no first-hand accounts of internal reaction to and effect of the Protectorate administration and the consequent development of trade and transportation by any of the vast majority of the indigenous population.

It was consistent with the nature of the relationship between the Colonial Office and its Colonial Governments that copies of much of the locally circulated material were not sent to London nor were all matters reported to the Secretary of State for the Colonies. The consequences of archival losses also are apparent when attempting to trace a proposal to

fruition or failure or to discover the if, how and when of the implementation of policies and projects introduced but never concluded in the records.

A description of the establishment of British rule in the Sierra Leone Protectorate and an examination of its effects and the indigenous response necessarily requires a degree of enlightened speculation and deduction. Whatever the limitation of the sources, certain definite patterns emerge in addition to the readily apparent effects and reactions, and the available material concerning the Protectorate in the early years of the twentieth century lends itself to further scrutiny beyond the scope of this study.

## CHAPTER 1

### THE ESTABLISHMENT OF A PROTECTORATE IN SIERRA LEONE

#### Prelude to the Protectorate

As the great existing imperial power, Britain engaged in an essentially defensive foreign policy until the late 1800's. Such a policy was characterised by reluctance to acquire additional area, and doing so only for strategic purposes; to protect existing possessions or to prevent control of vital routes from passing into other hands. Official attitudes toward West Africa during much of the second half of the 19th century reflect the principles and factors which determined British foreign affairs worldwide.

Within the framework of British imperial policy, West Africa did not assume an essential position. Indeed, prior to the time when its value as a pawn was recognised, the majority of the British territories were regarded as expendable. A Select Committee of Parliamentary Enquiry had recommended in 1865 that there be no further extension of British power. Furthermore, the Committee looked forward to the ultimate withdrawal of Britain from all West Africa except Sierra Leone. The exception made to Sierra Leone derived from several sources, well delineated by



Hargreaves in his comprehensive coverage of this period.<sup>1</sup> It is his contention that Sierra Leone was singled out, not just in deference to humanitarians, but also to the Navy which appreciated the value of Freetown Harbour, and to the fact that the Colony had achieved a balanced budget and an expanding trade.<sup>2</sup>

However much Sierra Leone's continued prosperity depended on revenue drawn from trade with an interior which bore constant surveillance, the Home Government's policy toward Sierra Leone was influenced by several factors in Britain. Successive Governments demonstrated their sensitivity to criticism in Parliament with respect to official action in West Africa. The opposition to territorial annexation which had been formally stated in 1865 continued. Aversion to imposing British dominion by force was evidently not the sole source of opposition as areas voluntarily ceded to Sierra Leone were received with mixed blessings.

It was a relatively small group of Englishmen who, with direct financial interest in Sierra Leone, kept the British Government advised as to the best ways to foster British commercial interests. The principle

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1. Although coverage of the events preceding the establishment of a Protectorate in Sierra Leone is provided in a number of sources, the most comprehensive is A History of Sierra Leone by Christopher Fyfe. The unpublished doctoral theses of John Barry Riddell and John J. Grace, and published works of Professors Michael Crowder and John D. Hargreaves have been useful for valuable information and insight into this period.
  2. Hargreaves, John D. Prelude to the Partition of West Africa (London, 1966) p. 77



means of relaying such information were the African sections of the Liverpool, London, and Manchester Chambers of Commerce which bureaus had been formed for that express purpose. British merchants were themselves generally opposed to direct methods of rule. It was not clear that direct exercise of authority would help commerce. Indeed, the consensus of opinion among both merchants and politicians was that the imposition of direct rule, presumably by military force, would disrupt not foster trade. Furthermore, the extension of regular colonial administration would incur expenses that neither the British Government nor the merchants were eager to underwrite. Consequently there was little pressure on the Colonial Office from sources within Britain to provide formal extension of power over the Sierra Leone hinterland.

The European and Creole traders in Sierra Leone were, for the most part, content to have government intervention limited to coming to their assistance and securing conditions which would further their interests. The resulting bases of the Sierra Leone Government's policy toward the adjoining territories until the latter years of the 19th century were to protect the Colony from attack and to protect the prosperity of the Colony by maintaining sufficient peace for inland trade.

Although the implementation of this policy was left to their discretion, Governors of Sierra Leone during these years found that it was not always possible to uphold the interests of the Colony and at the same time

act in accord with Colonial Office directives. Different means employed by successive Governors to fulfill frequently contradictory objectives reflect not only divergence in personal inclinations but also changing conditions in the Sierra Leone hinterland and in European foreign affairs.

British influence had been established in the first half of the 19th century along the seaboards North to the Mellacouri River and South to Liberia, and up coastal rivers and streams to their heads of navigation. It was a major feature of Governor Kennedy's administrative strategy to invoke the treaties of friendship which had been made previously with chiefs in these areas and to induce their cooperation in keeping the peace and unobstructed trade routes by the payment of annual stipends. The friendly relations he established with other chiefs were also perpetuated by stipendiary payments conditional on the provision of safe conduct and transit of trade.

The system Kennedy had relied on became increasingly inoperative as it depended on political and economic conditions which were beyond the control of the Colonial Government. Chiefs who had seen Creole merchants prosper entered trade themselves and sought to extend their influence over strategic trade routes. Such acts of aggression aggravated the hostility aroused in non-treaty chiefs by the treaty chiefs, who with their various advantages were competing more successfully in the limited existing palm market. The result of such conditions was a succession

of wars between rival factions.<sup>3</sup>

Slave labour was used by the indigenous people in the Sierra Leone hinterland to cultivate, gather, and transport crops.<sup>4</sup> As African involvement in legitimate commerce increased, so did the quest for slaves to meet the greater labour demand. The slave raids and wars which ensued contributed greatly to the unsettled state of the areas beyond the Colony. Coming a full causal circle the very trade which had originally generated the need for more slaves was severely disrupted.<sup>5</sup>

The warfare which characterised the late 1870's and 1880's was not confined to the areas to the East and Southeast of the Colony but also included regions which lay on the caravan routes that went North-northeast from Port Loko to Falaba and beyond. Samory's extension of his empire

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3. In addition to the general studies cited above, see Allen M. Howard's unpublished thesis Big Men, Traders, and Chiefs: Power, Commerce, and Spatial Change in the Sierra Leone-Guinea Plain, 1865-95 (PhD. University of Wisconsin, 1972.)
  4. In 1871 Governor Kennedy attributed Britain's flourishing commerce in West Africa to slave labour. Of the over 1,000,000 of produce being exported annually--nearly half of which was from Sierra Leone--only 1,000 was a result of free labour, and all European Merchandise was being carried inland by slaves. Grace, John J. The Problem of Domestic Slavery in British West Africa with Particular Reference to the Sierra Leone Protectorate, 1896-1927. (PhD. Aberdeen, 1972) p. 44
  5. In his unpublished PhD. thesis, A History of the Temne in the 19th Century (Edinburgh, 1968), E. Ade Ijagbemi comments on the paradox of yet another circular effect concerning these events. The origins of the Sierra Leone Protectorate lay in the wars engendered by the legitimate commerce which its earlier proponents had hoped would end war and slavery in the territories adjoining the Colony, pp. iv, 303

affected territories far greater than those actually attacked or conquered by his marauding Sofas as trade was choked off at various intervals along the routes as well as disrupted at its sources.<sup>6</sup> So seriously was the prosperity of the Colony affected by the events taking place in the lands surrounding it that Government intervention took the form of punitive military expeditions as well as of peaceful visitations.

Officials at the Colonial Office found it difficult to follow the intricacies of many of the conditions in Sierra Leone. The extent to which they condemned, tolerated or applauded the actions and decisions of the Governors depended largely on the current state of affairs in European diplomatic relations, particularly with France. In the opinion of Lord Salisbury situations in West Africa were certainly not significant enough to jeopardise good relations with France, which he rated as being of the highest priority.<sup>7</sup>

Throughout the 1880's the French were extending their domains and pursuing Samory with the effect that they were encircling the Sierra Leone hinterland along to the Liberian border. However, Salisbury was not yet prepared to allow the Sierra Leone Government to actively counter

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6. Samory is among those cited by Hargreaves as responsible for the internal wars which closed roads early in 1879 and caused the number of caravans visiting Freetown to drop by 80%. op. cit. p. 244

7. Hargreaves ibid. p. 225

with any treaty-making forays which might antagonise the French.<sup>8</sup>

Whitehall was about to relent by the end of 1888 when the newly-arrived Governor, Captain James Shaw Hay, conveyed warnings of the need to make treaties to counter the costly French encroachment, and plans for achieving this end and that of securing peace. The three-fold proposal was for Travelling Commissioners to obtain agreements providing for freedom of trade, keeping the peace, and referral of disputes with neighbours to the Government; the construction of a road joining the riverheads and thereby creating a frontier road running roughly parallel to the coast thirty miles inland; and the establishment of a para-military police force along the road.<sup>9</sup> Early in 1889 the Secretary of State for the Colonies agreed to this new policy but instructed that no decisive action be taken until the Anglo-French boundary settlement was completed.

This change of heart was brought about by a variety of factors. The Colonial Office believed that wars and expenditures similar to the Yoni expedition in 1887 could be avoided by Hay's policy. International

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8. Indeed, it is the opinion of Robinson and Gallagher that the Foreign Secretary was not at all sorry to encourage French aspirations in West Africa if that would help divert their efforts from Egypt and the Nile. Gallagher, J. and Robinson, R. D. with Denny, A. Africa and the Victorians (London, 1961) pp. 382-4

9. 'Para-military' is a phrase often used to describe the uses to which the Frontier Police and latterly the West African Frontier Forces were put. These included such duties as punitive expeditions, putting down internecine wars, combatting the slave trade, providing escort for Government officials as shows of force and for prisoners to the gaol.

agreements, in particular the Brussels Act, obligated Britain to end the slave trade. Efforts to attain this end were made not so much for reasons of diligence as expedience lest the French use the apparent failure of the British to accept their responsibility as a pretext for invading the British sphere. A further incentive for the Colonial Office to support measures which would end the traffic in slaves was no doubt the recognition of the detrimental effect on Sierra Leone's trade and revenue of the slave raids and wars. With these wider considerations, the British Government could with self-justification pursue a policy of extension of British influence and effective occupation.<sup>10</sup>

The Anglo-French Agreement was signed on the 10th of August 1889 and went into effect on the first day of the new year. On that day Knutsford dispatched to Hay details for achieving more effective control and extension as far as possible of the region reserved to Britain. Peaceful methods would accomplish these ends more effectively and less expensively than military conquest. The proposals earlier made by Hay were deemed the best means of implementing the new policy.

The two Travelling Commissioners were given a wide range of instructions and dispatched in February 1890. To T. N. Garrett and T. J.

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10. In discussing these considerations Grace notes that the effect if not the avowed intent of international agreements was that claims to African territory be followed by effective occupation. op. cit. p. 101



Alldridge fell the enormous and arduous task of contacting the numerous chiefs in the isolated, unfamiliar reaches of the lands over which Britain had acquired jurisdiction, and to enter into treaties of friendship with those 'not yet bound by engagements to any other foreign power.'<sup>11</sup> The Traveling Commissioners were to impress upon the indigenous rulers the desire of the Government to open up their countries and develop their resources, which could not be done without the cooperation of the chiefs in maintaining good roads and keeping the peace.

Garrett, a Customs inspector stationed at Bonthe who had often in the past been employed by the Government to do reconnaissance and arbitration work, had a special mission. He was to travel North along what is now the Guinean boundary to the distant lands under the sway of Samory and to obtain the cessation of the closure of the roads against the trade caravans. Alldridge ventured into the more removed parts of Mendiland in the south and eastern outreaches of the British sphere of influence at the same time that Hay was touring areas nearer the the Colony and making treaties.

By ordinance a Frontier Police Force was created in January 1890 by initially recruiting the ranks from the Sierra Leone Police Force; and

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11. Public Record Office, Colonial Office series 267 contains Governors' dispatches to the Secretary of State and letters to the Colonial Office relating to Sierra Leone from other government departments, public agencies, and individuals. References will be to volume, date, dispatch number (if any), sender, and Secretary of State.  
P.R.O. 267/381 24 February 1890 c. 6 Hay-Knutsford

the European officers, an Inspector General and two Inspectors, from the regular army.<sup>12</sup> Small detachments were scattered around, originally within the perimeters of the frontier road, and posted in the more important towns and in chiefdoms where the rulers agreed to accept them. The constant patrols were instructed to maintain peace, and keep the roads open for trade. Various of their other duties included dealing with crimes of murder and violent robbery, stopping slave caravans, and detecting cases of trading without licences. The Frontier Police were specifically forbidden to interfere with chiefdom affairs, an instruction whose reiteration indicates that it was not followed.<sup>13</sup>

After the delimitation of areas of British and French jurisdiction in 1889 it was considered necessary to regulate the activities of the inhabitants of the British sphere of influence more rigidly so that the British Government would not be open to censure for failure to prevent raids across the border, with France in particular. Limba and Temne pursuit of the Susu warrior Karimu (Carimoo) across the Scarcies in the early 1890's brought complaints from the French. As a consequence a British expedition against Karimu was launched in February 1892 and an agreement made with the Scarcies chiefs in March that they not cross the Scarcies in war again.

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12. P. R. O. 267/381 16 January 1890 #18 Hay-Kuntsford; Fyfe, Christopher A History of Sierra Leone (London, 1962) p. 487

13. Fyfe ibid.; Grace op cit. pp. 113-4; Crowder, Michael West Africa Under Colonial Rule (London, 1968) p. 154



The assumption of responsibility to contain the hinterland populations and the desire to maintain conditions conducive to trade required the Sierra Leone Government to intervene more actively and frequently in tribal affairs and to exert more control than had previously existed. The methods varied with the actual circumstances and with the way situations were assessed and handled by the government officials. The various historical accounts of this period contain many instances of hasty or ill-conceived action with regrettable consequences.

The ideal sequence of events would be that if the issuing of increasingly stern warnings against warring failed to restore peaceful conditions, a senior officer would be sent to stress the displeasure of the Governor and to obtain a reaffirmation of allegiance. No doubt the mere presence of an armed escort on many occasions helped convince the people of the merits of the Government's position and prevented recourse to the last resort, military force.

In the eyes of Sir David Chalmers and other contemporary observers the nature and degree of Government intervention into internal tribal affairs may have varied throughout the years preceding the Protectorate but the relationship between treaty signatories was that of sovereign powers.<sup>14</sup>

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14. Kenneth Little, in The Mende of Sierra Leone (London, 1951 revised 1967), feels this is evident from Alldridge's account of his treaty-making expeditions. p. 54 However it is not clear that Alldridge establishes that there was in fact a relationship of equals or merely that Alldridge interpreted the African's demeanour to indicate that this was their understanding of the situation.

The reports of both Chalmers of his investigation into the 1898 Hut Tax Rebellion and District Commissioner James Crawford Maxwell of Native Laws and Customs written in 1908 for distribution among colonial officers have the tone of propaganda statements but no doubt present what each believed to be an accurate appraisal of pre-Protectorate conditions. Chalmers maintained that in treaties from the foundation of the Colony to the latest one in 1895 the character of the Chiefs as owners and sovereigns of territory and as independent contracting Powers was unequivocally and universally recognised. In the few later treaties which provided for the assumption of sovereignty and full control of territory by the Crown such could only be done if the chiefs did not fulfill their treaty engagements.<sup>15</sup>

Maxwell brought to his fourteen years as a Sierra Leone District Commissioner the thoroughness of one trained in medicine and the forthrightness of one born a Scot. Like Chalmers, Maxwell used a moderate tone, describing the role of the Government in the 70 years preceding the establishment of the Protectorate as claiming and exercising 'the right of intervention in any disputes which led to intertribal wars or interfered with trade.' However, he declared, 'beyond this and the stopping of slave raiding there had been very little interference with the different chiefdoms.'<sup>16</sup>

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15. Parliamentary Papers 1899 Vol. LX c. 9388 'Report to Her Majesty's Commissioner and Correspondence on the Subject of the insurrection in the Sierra Leone Protectorate, 1898.' p. 15

16. P.R.O. 267/503 25 April 1908 #209 Probyn-Crewe Maxwell enclosure

Whatever the interpretations, the practical effect of acts of intervention and the policy of scattering Frontier Police throughout the British sphere of influence was British dominance. Thus the Declaration of the Protectorate over the hinterland of Sierra Leone, which was not made until after the 1895 Boundary Agreement with France, merely gave formal recognition to the 'de facto' protectorate which already existed. The meetings between Governor Cardew and the chiefs of the interior in 1896, to be discussed in a later section, must be viewed in the light of this fact.

### Proclamation of the Protectorate

#### Administrative Districts

The Protectorate was proclaimed on the 31st day of August 1896, and Ordinances 20 of 9 September and 21 of 16 October were passed to determine the mode of exercising jurisdiction, and to define the limits of the Protectorate, respectively. The area approximately the size of Eire was left divided in the five districts which had existed for Frontier Police control. Four of the major interior police posts--Karene, Panguma, Bandajuma, and Falaba--were designated headquarters, in addition to the village of Kwellu in Ronietta.<sup>17</sup>

Although it was maintained that the boundaries of the districts fol-

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17. Riddell, John Barry Structure, Diffusion and Response: The Spatial Dynamics of Modernization in Sierra Leone (PhD. Penn State University, 1969) p. 12



THE COLONY AND PROTECTORATE OF SIERRA LEONE  
showing the Administrative Boundaries which prevailed from 1907-1919

lowed tribal boundaries wherever possible, it is unlikely that this claim was more than superficially accurate. It is open to conjecture how much knowledge colonial officials had of such ephemeral delineations as the tribal boundaries at the time the original districts were being outlined in the early 1890's.<sup>18</sup> Subsequent adjustments in district boundaries to group compatible chiefdoms, as well as major redistricting for admittedly pragmatic reasons, indicate both that recognition of presumed traditional borders had not been achieved and were not likely to be unless coincidentally.

In discussing the changes of the Protectorate administrative regions, Riddell speaks in terms of them being 'periodically redefined as administrative objectives were reevaluated and as geographical space was continuously restructured and refocused by the evolving transportation and communications networks.'<sup>19</sup> The effect of the Railway on the country through which it passed was the main criterion for the major reshuffling of chiefdoms which resulted by 1907 in the creation of the Railway and North Sherbro Districts and the dissolution of the Panguma and Bandajuma Districts. Economizing administrative power along the Railway because of easier communication was meant to free officers for the better administration of the more remote areas.<sup>20</sup> In reality, other effects of the Railway required

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18. T. N. Goddard in The Handbook of Sierra Leone (London, 1925) describes the division of the Protectorate as being arbitrary and dictated by considerations of administrative efficiency. p. 168

19. Riddell, *op. cit.* p. 12

20. P.R.O. 267/488 6 October 1906 #394 Probyn-Elgin



the political staff of that district to be increased beyond that of the other districts.

The division of the Protectorate into three Provinces of four Districts apiece in 1919 reflected to a very real extent the transportation system at that time. The opening up of the Northern branch of the Railway and the renewed importance of river systems required the shifting of administrative personnel. The Northern Province contained the branch line and the Rokelle and Scarcies water systems, while the main Railway and its feeder roads were included in the Central Province. The Sherbro waterways were located in the new Southern Province.<sup>21</sup> Wilkinson's original reorganisation proposal, of July 1916, had apparently been intended primarily to allow greater hierarchical distinctions within the Protectorate Administration. Officials at the Colonial Office felt there were other ways to reward length of service and were able to conveniently put by the question until after the war.<sup>22</sup>

Although the 1919 and the 1907 changes were allegedly 'guided by considerations of language and race' as well as 'communication',<sup>23</sup> the latter was the prime factor. However, in addition to general lumping of chiefdoms presumed to be akin to one another, the Government was not unresponsive to requests to correct their assumptions about ancestry and traditional alle-

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21. P.R.O. 267/583 25 September 1919 #432 Wilkinson-Milner

22. P.R.O. 267/571 28 July 1916 #307 Wilkinson-Bonar Law

23. P.R.O. 267/583 25 September 1919 #432 Wilkinson-Milner

giances. Many of the minor alterations in existing boundaries, and major changes in district revision plans, particularly in the creation in 1906 and 1909 respectively of the short-lived Central and Headquarters Districts, were made in deference to such considerations. It should not be assumed that pure altruism moved the colonial administrators to rearrange projected and actual boundaries to separate enemies and reunite closely related peoples. The fear of tribal animosities flaring into warfare reminiscent of pre-Protectorate times, and the threat of petitioners to move out of the Protectorate were undoubtedly the main factors in this accommodating policy.

Stanley's settlement of the border between the Koinadugu and Karene Districts was ultimately determined by the fact that "for years Limbas, Lokkos, and to some extent Mandingoes... have been living together in peace and friendship and intermarrying and settling in each others' villages without considering the question of a boundary between the two chiefdoms."<sup>24</sup> Placing them in separate districts would have resulted not only in the 'great confusion' Stanley sought to avoid, but also in great discontent. Bloodshed was the implied consequence if the people of the Mapaki, Malal and Bambali chiefdoms were removed from Karene District and made to cross the Rokelle River to deal with the District Commissioner of the proposed Central Dis-

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24. Sierra Leone Archives material will be identified by the number affixed to the minute paper or by the designation of the document which identifies either its origins or the nature of its contents, followed by the year, the date, and the author if known.

S. L. A. D. C. Koinadugu #9 1915 19 February Stanley

trict. It was their belief that God put that there as a natural boundary between them and their mortal enemies, the Koniki and Yonni Timinis.<sup>25</sup>

### The Administration in the Protectorate

The legacy of treaties and the fact that the Sierra Leone hinterland had required for the most part no military conquest made it possible to establish a skeletal administration over the indigenous population. In addition to the District Commissioner and his staff, medical and postal services and Frontier Police were assigned to each district. According to Riddell, the location of the early medical and postal facilities corresponded to those of the colonial administrative hierarchy as such existed largely to serve the district officers and their staffs. The postal, and to a lesser extent the Government medical, services, gradually expanded as 'the administrative system responded to more realistic perceptions of population distribution and to the space-shrinking effect of the Railway.'<sup>26</sup>

The practical side of the administration was left almost entirely in the hands of the Frontier Police whose methods of maintaining law and order will be discussed subsequently. The primary responsibilities of the District Commissioners were the administering of justice and the collection of the tax on dwellings which was provided for in the Protectorate

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25. S. L. A. 3630 1908 17 September D. C. Karene, Oswell, forwards 10 September petition of chiefs of Mapaki, Malal and Bombali chiefdoms

26. Riddell, op. cit. pp. 66, 96



Ordinance. A number of other tasks fell to the colonial officers in the Protectorate by virtue of the very type of indirect rule being administered as much as by the specifications of Ordinances.<sup>27</sup>

As areas of government and commercial activity increased so too did the responsibilities of the District Commissioners who had to protect the interests of both the indigenous population and the Government departments in such matters as the establishment of Bush Fire Protective Belts, Forest Reserves, and Sanitary Districts.\*<sup>28</sup> Similarly the District Commissioner's administrative, executive and advisory roles were extended by the Protectorate Native Law Ordinance of 1905 and the various Concessions Ordinances.<sup>29</sup> The effect of these Ordinances was to make him a go-between for non-indigenous people seeking Protectorate land from the chieftom rulers, and for 'settlers or residents' and 'natives', particularly in the larger towns and trade centres. These laws also required his offices to be used for the filing of requests and deeds and his consent to be obtained to the terms of grants.

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27. Ordinances can be found, among other places, in the P. R. O. Colonial Office series 269. Citations are all for Sierra Leone Ordinances and will consist of the Ordinance number and year. In addition to the Protectorate Ordinance #20 of 1896, and its amended versions #11 of 1897 and #33 of 1901, the Protectorate Courts Jurisdiction Ordinance #6 of 1903 and the Protectorate Native Law Ordinance #16 of 1905 enumerate powers and responsibilities of the District Commissioners.

28. See Ordinances #5 of 1906, #8 of 1912 and #10 of 1915 respectively.

29. See Ordinances and Schedules of Rules attached, #18 of 1903 and #7 of 1913; and Ordinances #16 of 1905 and #29 of 1906.

\* See Appendix A

As many of the non-legislated duties evolved guidelines for their execution were laid out in Circulars and Standing Instructions.<sup>30</sup> The original Protectorate Ordinance and all subsequent ones during the period under review contained a section comparable to the 'elastic clause' of the American Constitution. By empowering the District Commissioner to settle any matters 'which if not promptly settled might lead to breaches of the peace'<sup>31</sup> the District Commissioner could legally intervene wherever he judged necessary. As the Ordinances do not provide for him to assist in the election of chiefs nor [REDACTED] for him to initiate deposition proceedings it can be assumed such actions were considered a natural extension of his duties defensible, if necessary, under the broad terms of this section.\*

Justice in the Sierra Leone Protectorate was to be administered by the three courts provided for in the Protectorate Ordinance.<sup>32</sup> The distinctions in jurisdiction enabled British subjects to obtain British justice at the Court of the District Commissioner and the chiefs to judge their own subjects in accordance with customary law, except in certain cases. Matters relating to land titles were dealt with in the Court of the District Commissioner while the chief's jurisdiction over capital offences was removed to

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30. See subsequent sections for discussion of these Government 'communiqués' and specific areas, such as tax collection, where District Commissioners' duties were delineated by Instructions not Ordinances.

31. Ordinance #20 of 1896, section LXXI; repeated in #33 of 1901, section 101; #16 of 1913, section 3

32. Detailed discussion of the court system in the Sierra Leone Protectorate is the subject of a separate chapter.

\* See Appendices C and D

the Court of the District Commissioner and Native Chiefs. The judicial power of the chief was further curtailed by the restrictions on the manner and harshness of punishment he was now allowed to mete out.

In the administration of justice as in other respects the traditional rulers were left to manage their own affairs so long as they met basic British objectives. The 'basic British objectives' are best understood by examining more closely the system of rule introduced in the Sierra Leone Protectorate and the various factors and philosophies which contributed to its formation.

#### Determination of the Method of Protectorate Rule

The realities of the colonial situation, as assessed by Parkes, the Secretary for Native Affairs, and confirmed by Cardew and the Secretary of State in 1894, determined the mode of administration to be introduced in the Protectorate. The primary concerns of the Government had been to obtain conditions conducive to trade and to secure the safety of traders and transit. Whatever system of rule was to be instituted would therefore seek to further these interests without creating unrest. Relatively effective control had been obtained without recourse to military conquest, largely through the agency of the Frontier Police Force. Consequently direct administrative control was not deemed necessary. Furthermore it was undesirable from several points of view.

**British Government attitudes toward the acquisition of territories**

may have altered since the 1860's but the central principle of colonial policy remained that they meet the costs of their own administrations. Joseph Chamberlain was prepared to advance money for transportation improvements and other development proposals but not for the establishment of an administrative system in the Protectorate.<sup>33</sup> Not only could the Sierra Leone Government not afford a direct administration but unless necessary for security reasons such a choice would have been inconsistent with the attitudes of the day.

There was an increasing disenchantment with the 'Black Englishmen' and an outright lack of confidence in Creole officials on the part of Cardew. Such feelings no doubt contributed to the undercurrent of racism in the philosophy and practice of retaining as far as possible the indigenous system of rule in the Sierra Leone hinterland. In reply to Cardew's administrative proposals Chamberlain expressed a prevalent sentiment of Victorian imperialists:

"The existence of a Protectorate in an uncivilised country carries with it a right on the part of the protecting power to exercise such authority and jurisdiction--the attributes of Sovereignty--as required for due discharge of duties of a Protector--i. e. -protecting the native from subjects of civilised powers and vice versa, and from each other, and from ill-treatment and oppression by their rulers and raids of slave-dealers."<sup>34</sup>

Grace discussed the 'Anthropologists' whom he contends influenced

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33. Fyfe, *op. cit.*, p. 543; Grace, *op. cit.* p. 164

34. P.R.O. 267/411 16 October 1895 Chamberlain reply to Cardew  
9 June 1894 c. 45

imperial policy. The central idea was that the indigenous people had their own institutions which had evolved to fit their needs and should be left intact wherever they did not offend the laws of humanity and civilization as determined by the British.<sup>35</sup> A corollary of the 'Anthropologists' point of view was that it was not only undesirable but disastrous to attempt to Europeanize the inhabitants of the Protectorate for it would merely produce a corrupted, semi-civilised breed 'having destroyed a good thing which they have got without the creation of an effective substitute.'<sup>36</sup>

The stated futility of attempting to cultivate European ways within or graft them onto African cultures is racist in its notion of the unsuitability of the customs and institutions of one culture for another, and in its implied superiority of one set over the other. This type of sentiment did not fade with the advent of the twentieth century! but was reinforced by experiences in the eyes of H. C. Luke.

"The Africans can no more be jerked successfully from a civilisation under which they have lived for centuries into one which is utterly at variance with it, than could a community of Europeans adopt with satisfactory results the African tribal system, a plurality of wives, and a discontinuance of boots."<sup>37</sup>

The philosophical convictions were quite suited to pragmatic consider-

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35. Grace, *op. cit.* pp. 99-100. Among those cited, the opinions of Major Festing, the Government emissary sent to meet Samory in 1888, are particularly lucid.

36. P.R.O. 267/522 17 April 1910 c. Probyn-Crewe Lukach enclosure introduction to his Bibliography of Sierra Leone published in 1925 under the name of H. C. Luke

37. Ibid.

rations. It was both fitting and expedient to ensure the cooperation of the inhabitants of the Protectorate, particularly in developing and maintaining profitable trade, by ruling them through their chiefs and by their customary laws. The type of rule established in the Sierra Leone Protectorate, complete with its inconsistencies and inherent weaknesses, was therefore a result of policy formulated by such a concept of the colonial situation.

Those matters which had been explosive in the past were removed from the jurisdiction of the chiefs. Disputes between chiefs and chiefdoms, and matters concerning land were two major areas which had caused unrest in the past and were likely to do so increasingly as more Africans became involved in a cash-crop economy. Control over non-indigenous people in the Protectorate also fell to the colonial administrators not the traditional rulers. Not only did the Government seek peace by assuming judicial responsibility for previously or potentially controversial matters and by refraining from overturning political institutions which existed. They also did not interfere with the system of 'domestic servitude' the humanitarians regarded as offensive but which the colonial officials saw as being too entrenched to tamper with without causing widespread disorder.<sup>38</sup>

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38. Grace's thesis is a thorough and revealing study of the paradox of legal recognition of a system of slavery in the Protectorate of a colony historically associated with the cause of abolition.



## The Structure of British Colonial Government

### The Role of the Colonial Office

Consideration of the system in which policy was formulated and practices reviewed, and the relative position of Sierra Leone in the imperial scheme of things sheds light on the decisions and dilemmas which affected administration of British rule in the Sierra Leone Protectorate.

Governors were appointed by Royal Commission, their duties being defined in Royal Instructions, and were bound to obey the monarch's commands conveyed him by the Secretary of State for the Colonies whether or not in accord with the personal views of the Governor. Ordinances enacted by the Governor 'with the advice and consent' of the Legislative Council, which in the case of Sierra Leone had been empowered to legislate for the Protectorate, only became operative upon receiving the Governor's assent and that of the Secretary of State acting for the Crown.<sup>39</sup>

The Secretary of State was the head of the Colonial Office, which was divided into both geographical and subject departments. The Secretary of State and the Parliamentary Under-Secretary remained in office conditional upon their party retaining a majority in Parliament. However an element of continuity and stability was ensured by the existence of appointed 'permanent' officials. The departmental nature of the Colonial Office and the erratic use

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39. Lugard, F. The Dual Mandate in British Tropical Africa (Edinburgh and London, 1923) pp. 114, 118, 127. In addition, information for this section is derived from the studies of the Colonial Service by Hall and Heussler, and deduced from Colonial Office records.



of subject advisors were not without detrimental effects in the formation of policy best suited to the conditions in question. It was frequently the case that dispatches of specifics concerning such areas as welfare, finance and development, or legal matters were referred to the experts, the advisors and staff in subject departments. Exercise of their executive authority enabled their decisions, sometimes based largely on theory or imperfect comprehension of local conditions, to override the recommendations of the geographical department.

Practical considerations in Britain and West Africa no less than philosophical inclinations no doubt helped determine the nature of the Colonial Office's role. Large areas, small staffs, and minimal funds dictated that much reliance be placed on the individual colonial administrator and his initiative. Leaving details of policy implementation and a good deal of its formulation to local administrators was consistent with the lack of direct control and reliance on indigenous personnel which characterised Protectorate rule as well as with the factors which had contributed to its design. From a purely practical point of view communication and transportation networks were not sufficiently well developed for the District Commissioners to turn to the Governor nor he to the Secretary of State for review and approval of each daily decision or emergency procedures.

At all levels in the colonial government hierarchy interference with levels below them, either in the form of suggested alternatives or disallow-

ance of a proposal, was brought on by recommendations or practices which diverged from policy. In addition, colonial officials had the opportunity to exert the prerogative of rank when their advice had been sought or their authorisation of expenditure required.

There were certain drawbacks to the role of the Colonial Office which the minute papers of that Office reveal. The recommendations of a Governor or his resident advisors who possessed not only expertise in their special fields but also local knowledge were overruled on many occasions by Colonial Office staff. The opinions of men on the spot might be dismissed by Whitehall's experts as being unsuitable or outmoded with little consideration of local conditions, needs, or available resources. More frequently officials in London took exception to certain specific individuals--usually Governors--with the result that they would block his proposals, take the word of less qualified and knowledgeable people over his, and generally incapacitate him in many of his efforts.

Such was the fate of Sir Leslie Probyn whose ambitious transportation schemes in particular were curbed by such detractors as the Assistant Under-Secretary of State, Reginald Antrobus, and Fiddian, an experienced First Class Clerk. Increasingly Probyn's judgment was questioned on a variety of matters which, although 'containing good points,' were deemed impulsive, and on courses of action 'which seemed to show that his mind

was not well-balanced.<sup>40</sup> Despite efforts to prevent him from returning to Sierra Leone at the end of his leave in 1908, Probyn was given a clean bill of physical health by Sir Patrick Manson and allowed to return to Sierra Leone for a ten month tour. The high hopes Fiddian and Antrobus expressed for his subsequent pensioning off or transfer 'to some less responsible post' were anything but realised when Probyn was promoted to the Governorship of Barbados and later Jamaica.

His successor, Merewether, was scarcely better liked by the Colonial Office but his tendency toward caution and inaction at least spared him frequent conflict with Whitehall. Richard Wilkinson arrived in Sierra Leone under a cloud of Colonial Office disfavour after 27 years of varied experience in the Far East. His overt antagonism<sup>to</sup> of all branches of the Colonial Service in Sierra Leone no less than the European community there blinded Colonial Office personnel to the merits of many of his proposals, which were put by until his departure.<sup>41</sup>

Although there were indeed occasions when the distrust and scepticism of the Colonial Office of a Governor's competence was warranted, the

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40. P.R.O. 267/510 24 August 1908 Probyn letter-Crewe Antrobus minute of 8 September

41. The Colonial Office minutes, particularly for the years 1917-1919, abound with disparaging comments and criticisms but always fell back on the lack of grounds to recall him. However, the extent of disfavour may be judged by the facts, cited by Grace, that Wilkinson was the only Sierra Leone Governor not to be knighted. Furthermore he was not found another post after Sierra Leone but retired at the age of 55 in apparent good health. Grace, op. cit. p. 353

curtailing of initiative was a facet of the system which was not always without effects more detrimental to the local administration and inhabitants than to the particular administrator. Rejection of Wilkinson's renewed proposal in 1919 to end domestic slavery because they lacked 'confidence in his ability to deal with such a difficult and delicate matter' was one factor in the postponement of this move which was not undertaken for another 8 years.<sup>42</sup>

Throughout the period under consideration the role of individual colonial officers is critical. The degree to which, in particular, a District Commissioner or Governor used, abused or neglected his powers and responsibilities shaped events, determined the direction development took and revenue expended, and shifted emphasis of policy execution. Personality quirks as much as previous experience were determining factors in how administrators performed their duties. As in the case of Wilkinson, newly appointed colonial officers more often than not arrived with little or no local knowledge; and experience, if any, in dissimilar conditions.

The Colonial Office minute papers are laced with staff assessments of the extent to which various Governors utilised the personnel in Sierra Leone, and of their personal proclivities and shortcomings. Although Merewether's lethargy and alleged negrophobia were the subject of commen-

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42. P.R.O. 267/580 22 January 1919 c. Wilkinson-Milner Ellis minute See also Grace for Colonial Office attitudes toward Wilkinson and the abolition of domestic slavery.

tary, his abrasive personality and tendency to 'squelch zeal in his officers'<sup>43</sup> were the more severely criticised of his defects. It was undoubtedly to a large extent Wilkinson's 'impatience with advice from officers with West African experience,' belittling and undercutting his district administrators, and 'scandalous quarrels' with such as the medical staff which made him 'very unpopular with all Europeans' and which brought down the wrath of the Colonial Office upon him.<sup>44</sup>

A defect in a system which relied heavily on individual initiative was its susceptibility to the whims, passions, energies, and mental capacities of constantly changing personnel-Governors and district officers alike. Lack of continuity in the way policies were implemented due to divergence in interpretation and shift in emphasis between one colonial administrator and the next was inefficient as well as disruptive as seen in the assessment of 'conchoes' for tax purposes. A further source of confusion to the indigenous population must have been the all too human tendency to abandon the undertakings of one's predecessors and commence new pet projects.

The performance record of any organisation is as good or bad, outstanding or mediocre, as the individuals concerned. To an even greater degree, a system of rule based to a large extent on the initiative of its

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43. P.R.O. 267/559 29 July 1914 Merewether-Harcourt

44. P.R.O. 267/575 17 September 1917 secret Wilkinson-Long; /577  
17 March 1918 c. Wilkinson-Long; /580 22 January 1919 c.  
Wilkinson-Milner Colonial Office minutes

members is open to the rise of outstanding contributors but also is more susceptible to the defects and weaknesses possessed by its component members. As a consequence, the recruitment of colonial service personnel was of critical importance and an investigation of the selection of officers for Sierra Leone is of particular interest.

### The Selection of Colonial Government Officials

By the time the Protectorate was established, the first requirement of an applicant for a senior position in the Sierra Leone Government was that he be European. In the eyes of many British the experiment 'to produce a superior Negro race',<sup>45</sup> of the Settlers, Liberated Africans and their descendants in the Sierra Leone Colony had failed. This change of heart was reflected by an alteration in the relationship between the Creoles, as this group was called, and the Colonial Government. Although there had been portents of things to come in Freetown Government posts,<sup>46</sup> the trend of relegating Creoles to secondary positions became most apparent when the Protectorate Administration was being planned. Parkes' suggestion for administering the proposed Protectorate by Creole Agents was rejected by the Colonial Office as it was felt that it would be impossible to get a sufficient number of qualified Creoles.<sup>47</sup> Thus from 1893 on, the role of the

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45. Lewis op. cit. pp. 32, 33

46. See Fyfe op. cit. and Porter, Arthur Creoledom (London, 1963) for specific manifestations of this trend

47. Porter op. cit. p. 61



Creole in the Protectorate Administration was to be a subordinate one, and remained so throughout the period under consideration.

### The Role of Creoles in the Protectorate Administration

Creoles in the corps of the Court Messengers and Frontier Police, later the West African Frontier Force, will be discussed in a subsequent section. There were two further categories in which they were employed in Protectorate service: on the District Commissioners' staffs; and attached to other Government departments.

'Non-natives,' a term used widely in ordinances and records to refer to the Creoles, monopolized the secondary level in the Protectorate of such departments as Roads, Railway, Agriculture, and the medical, forestry and sanitary services. Their positions were clerical cum administrative but the records indicate that with the frequent turnovers and vacancies among the European staffs the continuity and continuation of programs often devolved to a large extent upon this class of people who rarely received recognition for their efforts or credit for their accomplishments.

The attitude of the British administrators is characterised by the rapidity with which shortcomings or errors of the Creole personnel were pointed out, and the reluctance or outright refusal to admit them to positions of authority. A case in point was the refusal of the Assistant District Commissioner of the Koinadugu District to allow a fully accredited Creole auditor to examine the District accounts. Berney's grounds for objection were



that it was derogatory to the dignity of his office for a native<sup>48</sup> official to examine his accounts and claimed the right to submit them only to a European.<sup>49</sup> As a consequence of this incident the Medical Officer and the Commanding Officer of the Frontier Force also refused to allow Maxwell to see their accounts and the Government was put to considerable expense by having to send someone else to this furthest-removed Headquarters.

Displaying the traditional pattern of protecting one's own, the Chief Medical Officer defended Dr. Burrow's action by attributing 'a regrettable (sic) sensitiveness to his colour' to Mr. Maxwell.<sup>50</sup> With Dr. Prout's attitude in mind, it is not surprising that the West African Medical Service was one of the great bastions of racial conservatism. It was official policy to exclude African doctors from this Service, which was the result of the amalgamation in 1902 of the various West African Medical Departments. The 'little reliance placed on the certificates of native medical practitioners'<sup>51</sup> was despite the fact that by the turn of the century over twenty Creoles had qualified in Britain as doctors, and several had served in chief positions in government and military medical branches.<sup>52</sup>

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48. In the nomenclature of the times, references to any non-Europeans were as 'natives' unless a distinction was being made between the people indigenous to the Protectorate and the descendants of the Settlers and Liberated Africans. In such instances, they were 'native' and 'non-native' respectively.

49. P.R.O. 267/477 14 May 1905 c. Probyn-Lyttleton

50. P.R.O. 267/477 14 May 1905 c. Probyn-Lyttleton Chief Medical Officer Prout enclosure

51. P.R.O. C.O. 879/112 999 21 April 1913 Merewether-Harcourt

52. Fyfe, Christopher Sierra Leone Inheritance (London, 1964) p. 299

In 1913 the question arose of allowing 'native employees of the Government to be attended by native medical practitioners.'<sup>53</sup> Merewether supported the Acting Principal Medical Officer's decision to continue the policy of restriction which Collette based on, among other reasons, the fact that such appointments would be highly prejudicial to the status and prestige of the West African Medical Staff.<sup>54</sup> They were of similar belief that:

"The young men who are educated in England work hard while they are there, and many of them obtain good degrees and diplomas; but when they return to the Coast racial characteristics and the influence of their surroundings appear to be too strong for them, and most of them sink to a level of hopeless mediocrity, not to say incompetence."<sup>55</sup>

Merewether was merely more outspoken than most colonial administrators. A similar negativism can be seen in the majority of the reports of District Commissioners when speaking of various of their staff members. Dr. Maxwell, and to a lesser extent Warren, were the exceptions to the human tendency most district officers and department heads displayed in referring to their non-European clerks, interpreters, gaolers, warders and Native Assistant District Commissioners only when these employees had abused their positions or neglected their responsibilities. On the whole there was a markedly patronizing tone to the assessment of the ways in which district

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53. P.R.O. 879/112 999 21 April 1913 Merewether-Harcourt

54. P.R.O. 879/112 999 21 April 1913 Merewether-Harcourt Acting Chief Medical Officer Collett enclosure

55. P.R.O. 879/112 999 21 April 1913 Merewether-Harcourt

staffs carried out their duties. Although it can be presumed that a great amount of responsibility fell to them in the frequent absences of the District and Assistant District Commissioners, and in tasks which sent the African official away from Headquarters on his own, rarely are examples of initiative, resourcefulness or even competence cited.

As the non-European staff perceived that the district officer expected only mediocrity and regarded petty criminal or extortionate practices as inevitable, and that there was little or no opportunity for advancement or likelihood of recognition of exceptional efforts, it can be suggested that they found little incentive to do anything but fulfill his 'expectations' of them. This pattern of measuring up only to the standard of which you are deemed capable would be re-enforced by the job security that apparently prevailed.

Individual dismissals occurred when cases of serious criminal offences or exploitation of the Government uniform were brought to the notice of the District Commissioner. Richard Harte Keating Willans showed typical reluctance to be inconvenienced by turnover and re-training of personnel when, as Acting District Commissioner of the Northern Sherbro District in 1912, he discovered that his entire clerical staff at district Headquarters was involved in an extortion racket. He was only on loan from the Frontier Force, overwhelmed with the massive arrests of alleged Human Leopards and deficient of many soldiers and Court Messengers already convicted of robbing natives. Willans felt, not unreasonably from his point of view, that

it was therefore impossible for him to sentence his whole clerical staff to imprisonment. The Colonial Secretary's position was one of greater detachment and wider priorities. Consequently he was unsympathetic and had staff sent from other districts to replace the offenders whose prompt punishment he instructed.<sup>56</sup>

The position of Assistant District Commissioner was created by Ordinance #24 of 1899 to augment the Protectorate staff in its efforts to restore order and administration to the area after the 1898 Rebellion. This official could perform any of the duties and enjoy all of the powers of the District Commissioner in the course of carrying out his assignments. King-Harmon specifically excluded what he referred to as Sierra Leoneans from this position on the grounds that the chiefs hated them and they would thus be unable to command respect and authority.<sup>57</sup> Consequently, when the use of Creoles was made to increase the Protectorate staff without spending money for more Europeans, the role of Native Assistant District Commissioner varied greatly from that of his European counterpart.

The duties laid out for N. H. Boston who was appointed in 1905 on a trial basis as Native Assistant District Commissioner in the Bandajuma District were essentially those of a glorified clerk. He was specifically restricted from 'any dealings with the Chiefs or the aborigines,' but if neces-

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56. S. L. A. C203 1912 4 October Acting D. C. Willans N. Sherbro

57. P. R. O. 267/458 13 June 1901 #202 King-Harman-Chamberlain

sary might be detailed to try small cases between Sierra Leoneans. Beyond that he was chiefly to be employed in helping with office or routine work.<sup>58</sup> Even at that, his services were terminated within the year for 'neglect or incapacity in Treasury matters.'<sup>59</sup>

Some years later Dr. Maxwell, who had been District Commissioner of Bandajuma at that time, identified the difficulty in drawing a sharp line between matters that might be dealt with by the Native Assistant District Commissioner and those which should be left for the return of the Assistant District Commissioner and District Commissioner from patrol. As no further delineation of duties appears in the records it can be assumed that either the subsequent Native Assistant District Commissioners themselves drew the line at the appropriate place or their superiors allowed them more initiative and offered them more guidance.

John Adolphus Songo Davies, formerly sub-accountant in Sulima and Postmaster at Bonthe, was Native District Commissioner under Maxwell in the Railway District from 1906 until his retirement for medical reasons in 1911. A dozen years later Governor Slater interviewed Davies and was fa-

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58. S. L. A. 4358 1904 4 November King-Harmon; P. R. O. 267/478 15 June 1905 #262 Probyn-Lyttleton; S. L. A. 437 1906 16 January Probyn
59. Noted in P. R. O. 267/604 17 June 1924 c. Slater-Thomas overall study of 'policy followed locally in matter of appointing natives to Colonial Service'

vourably impressed with his keen and intelligent interest in the affairs of the Protectorate, particularly its economic development.<sup>60</sup> This interest appears especially commendable in view of the fact that his retirement application for land lease from a chief to start a kola, rubber and cacao plantation was turned down as being against Colonial Regulations.<sup>61</sup>

Despite Davies' 'exceptional record as a trustworthy and capable officer' at the time of his appointment to the Railway District administration, and his scholarly achievements in Mende,<sup>62</sup> the years of his association with Maxwell did not convince the Scotsman of the merits of Native Assistant District Commissioners. Although there were by 1911 two other such officers, Tuboku-Metzger appointed in 1908 and Valantin the following year, Maxwell's recommendation against the hiring of any further Creoles for administrative posts was accepted.

There were many British officials in Sierra Leone and London who shared the opinion of Haddon-Smith, as the Officer Administering the Government, that:

"The experiment of appointing native, OR RATHER CREOLE, Assistant District Commissioners, has not been attended with success. They do not enjoy the confidence of their own class or the Protectorate natives, which detracts from their value as district officers; nor have they the necessary qualifications for magisterial work."<sup>63</sup>

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60. Ibid.

61. P.R.O. 267/530 7 March 1911 Merewether-Harcourt

62. P.R.O. 267/487 24 August 1906 #315 Probyn-Elgin;  
P.R.O. 267/488 31 October 1906 #332 Probyn-Elgin

63. P.R.O. 267/533 5 September 1911 c. O.A.G. Haddon-Smith - Harcourt



The latter was the specific criticism at that time of Valantin who retired from the Headquarters District four years later. Although there were only four chiefdoms in that district it was felt that a European should replace him. Tuboku-Metzger was retired in 1917 under the age limit clause to provide him a graceful exit from his position which, under Fairtlough in Northern Sherbro, he had reportedly seriously abused.<sup>64</sup>

For the years remaining during the period under review, the titles changed but the job descriptions of positions open to Africans of any sort in the Protectorate Administration remained the same. Whereas the title 'senior clerk' was felt in 1910 to imply more than 'the financial and clerical power which natives and Creoles were to be limited to,'<sup>65</sup> 'Office Assistants' were created in 1920. Each of the three Provincial Commissioners had one of these 'deserving subordinates' who were to take charge of the office in his absence but assume no political duties. The purpose stated by Wilkinson for its inception was that this post would 'provide openings of more responsible work for officers recruited locally whose service has shown them capable and trustworthy.'<sup>66</sup>

The qualification of prior service was the basis on which the Governor

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- 64. P.R.O. 267/558 4 May 1914 #252 Merewether-Harcourt;  
 P.R.O. 267/574 24 January 1917 c. Wilkinson-Long;  
 P.R.O. 267/574 14 February 1917 c. Wilkinson-Long;  
 P.R.O. 267/604 17 June 1924 c. Slater-Thomas
  - 65. P.R.O. 267/524 11 August 1910 #386 Probyn-Harcourt
  - 66. P.R.O. 267/587 20 August 1902 #387 Wilkinson-Milner



rejected the earlier application of R. Awunor-Renner, a barrister then reading in Chambers in England, for appointment as an Assistant District Commissioner.<sup>67</sup>

As Colonial Secretary in the Gold Coast Colony, A. Ransford Slater had shown decided opposition to the principle of exclusion of 'native medical practitioners' from the West African Medical Service when such had been put forth by the Advisory Medical and Sanitary Committee for Tropical Africa.<sup>68</sup> As Governor of Sierra Leone, however, he expressed to the Legislative Council his opinion that 'it would be inappropriate to place any chief under the authority either of a native from the Colony, or of a native from the Protectorate who would necessarily be either one of his subjects or the subject of another Chief.' Confidentially, to the Secretary of State, he did admit the possibility that a man 'of such ability, character and influence as to command universal respect and confidence' might at some future date be found who could receive an appointment to the Political Administration in the Protectorate.<sup>69</sup>

#### European Government Officials

The first District Commissioners for the Sierra Leone Protectorate,

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- 67. P. R. O. 267/604 17 June 1924 c. Slater-Thomas
  - 68. P. R. O. 879/116 1031 21 January 1915 c. Clifford-Harcourt  
Slater enclosure
  - 69. P. R. O. 267/604 17 June 1924 c. Slater-Thomas

and many of their successors and Assistants, were recruited from the Frontier Police. Not only was Cardew moved to promote officers to avoid friction between the administration and Police by bringing in outsiders; he also chose this course because the Colonial Office had restricted expenditure on the establishment of an administration in the Protectorate.<sup>70</sup>

The 'firm and strong hand in dealing with natives',<sup>71</sup> for which Fairtlough in later years was criticised were the qualities best suited for instituting rule. It will become apparent that these same authoritarian characteristics were not necessarily considered virtues in the subsequent years of a more consolidated, diversified administration. Many of the surviving pioneer administrators were temperamentally unable or unwilling to take up new responsibilities and innovations as the needs and circumstances of administration altered and the demand for strong-arm tactics to instill law and order was greatly reduced.

In a plea for Chamberlain's approval of another District Commissioner and four Assistants, King-Harman offered one of the most succinct descriptions of the duties of the administration in the Protectorate:

"Expenditure is necessary not only to develop the country but to also satisfy the people that the Government was not established to plunder but to benefit them. In addition to these elementary responsibilities there falls on the administration of these districts the necessity of keeping close watch over the people and the chiefs, encouraging loyalty, investigating and

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70. Fyfe *History* op. cit. p. 543; Grace op. cit. p. 176

71. P.R.O. 207/572 28 October 1916 c. Wilkinson-Bonar Law

if possible redressing grievances, judging quarrels, suppressing discontent and dissatisfaction, and by constant and frequent intercourse with them, maintaining the authority of the Crown."<sup>72</sup>

The Secretary of State, traditionally parsimonious in matters of administrative expenditure, was sufficiently impressed by King-Harman's defence to allow the staff increase.

The certain type of person desired for such an undertaking was a man of high moral character with either successful military or administrative experience in 'the treatment and management of coloured races.'<sup>73</sup> The underlying criterion was and remained that Protectorate administrators be: "men of character who could answer in every sense to the term 'gentlemen.'<sup>74</sup>

Particular jobs had specific additional requirements, and although tact and dignity were considered more important than educational attainments in the search for a teacher and Assistant Master at the Bo School for sons of Chiefs, the Principal was especially anxious that no Scotsman be selected. It was Mr. Proudfoot's belief that 'the hard ability found in Scottish elementary and higher grade schools does not carry with it the essential necessary for teaching sons of chiefs.'<sup>75</sup>

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72. P.R.O. 267/457 2 March 1901 #66 King-Harman-Chamberlain

73. Ibid.

74. P.R.O. 267/552 11 November 1913 #570 O.A.G. Hollis-Harcourt

75. P.R.O. 267/552 11 November 1913 #570 O.A.G. Hollis-Harcourt  
Proudfoot enclosure

As conditions in the Protectorate settled in the early years of this century, the Government identified the need for people with special skills in other departments and also within the district administrative staff. Although created to free the District Commissioner from some of his duties and to relieve him in his absence, the post of Assistant District Commissioner came to be regarded as one which could incorporate certain more specialized abilities and training, such as in law and indigenous languages, which the District Commissioners did not possess. The system existing in 1908 of appointing 'half-educated Army men as Assistant District Commissioners and shifting them continually from station to station' was deprecated by Fiddian at the Colonial Office on several grounds.<sup>76</sup>

Not only did it undermine the effectiveness of the administration to have people of questionable competence assuming such responsibility, but also the constant turnover did not take advantage of knowledge acquired of the customs, history and language of a particular area. As a result there emerged a tendency for Assistant District Commissioners to fall into two categories: those more or less permanently attached to one district; and those who had proven themselves especially able or possessed of legal qualifications who were used in a capacity of troubleshooters or roving legal consultants and prosecutors as situations required.

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76. P.R.O. 267/501 5 January 1908 #3 Probyn-Elgin Fiddian minute

The function of the Government slowly changed from being concerned just with the maintenance of law and order to being increasingly interested in social and economic development. The diversification and complexity of undertakings of the Protectorate Administration which separated the old and new generation of colonial officer also constituted a divisive factor between many of those district officers who had involved themselves in early innovation, and the experts who were latterly brought in to further such interests as public health, forestry, and agriculture in the Protectorate.

Some districts were therefore under the jurisdiction of authoritarian, old guard administrators who were not committed to or involved in, for example, agricultural experiments or sanitation schemes as were the more recently appointed, younger, 'new blood.' In addition to their presumed good health and vigour, the latter possessed training which was not only more recent but in many cases more specialised. In other districts, involved political officers came in conflict with the imported specialists whose presence and interference they resented, and whose judgement in matters pertaining to the indigenous population they questioned if not condemned. It is a matter of conjecture whether these divergences among personnel were a liability to modernization as Kilson would no doubt contend, a stabilising factor and safeguard of the interests of the indigenous population, or of minimal impact on either the ultimate development of the Protectorate or its inhabitants.



It was the case with such District Commissioners as Maxwell, Warren and Stanley that they offered constructive criticisms as to modifications of, in particular, proposed restricted areas and forest reserves, and public health regulations and establishment of sanitary districts. When acting in conjunction with the experts such officials were able to suggest the best way to introduce such innovations without defeating the Government's own purposes and stirring up strong opposition or creating unrest.<sup>77</sup> It was fortunate that officers of such capabilities and initiative served in Sierra Leone during the Governorship of Merewether, who distinguished himself by being argumentative and thwarting, in particular, the efforts of the Medical and Sanitary Officers with his petty and persistent complaints and lack of cooperation.

Although Fiddian, as well as district administrators, complained of 'half-educated' Assistant District Commissioners, the fact of the matter was that this position did not often attract more qualified individuals. This truth does not apply only to the Assistant District Commissioners but also to their more senior administrators. The promotion opportunities as much as the recruitment processes weighed on the calibre of the administrators obtained for service in Sierra Leone, and consequently on the effects of the Protectorate Administration.

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77. See P.R.O. 267/559 30 August 1914 #502 Merewether-Harcourt;  
P.R.O. 207/561 4 November 1914 #589 Merewether-Harcourt;  
P.R.O. 267/600 21 June 1923 #286 Slater-Devonshire



In the imperial scheme of things, West Africa was singled out as a region without much room for advancement.<sup>78</sup> Beyond that, the position of District Commissioner in Sierra Leone was identified as 'lacking the same prospects of promotion as in Nigeria or Gold Coast.'<sup>79</sup> A further detraction from accepting an appointment to Sierra Leone, or remaining there any longer than necessary, was its inferior salary schedule. As the District Commissioners were admittedly 'less liberally paid for their duties than elsewhere',<sup>80</sup> it can be questioned if in fact those administrators who stayed on for considerable years did so out of dedication or desperation, altruism or lack of alternative.

Fiddian would agree with the complaint that in the years after the establishment of the Protectorate, there were not enough qualified officers in the Frontier Police from which to choose District Commissioners. As a result, those appointed were often too young and inexperienced, or lacking the training and educational attainments of their colleagues in the Colonial Service of other areas.

Non-ranking officers who were successful as Assistant District Commissioners were promoted to District Commissioners, while a few officers

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- 78. P.R.O. 267/491 9 July 1906 C.O. to self Anderson minute
  - 79. P.R.O. 267/500 4 February 1907 Probyn letter to Elgin
  - 80. P.R.O. 267/500 4 February 1907 Probyn letter to Elgin  
Anderson minute



like Captain W. B. Stanley, were directly appointed to the senior Protectorate administrative position. On the whole Sierra Leone appeared to be a proving ground from which capable, eager and ambitious officials were promoted, perhaps one day to return in a far more elevated capacity. Although this tendency would no doubt be present throughout the Colonial Service, it can be suggested that the systems of recruitment and promotion and the relatively low status of Sierra Leone affected the quality of administration in the Sierra Leone Protectorate.

It is possible that the seemingly rigid pecking order for top Government positions excluded some who would have excelled and made valuable contributions. Stanley's accomplishments, excellent record, and high commendations from the likes of Wilkinson did not outweigh the deficiencies in his education when being considered for Colonial Secretary.<sup>81</sup> Stanley's sturdy but undistinguished service in the Gambia and Sierra Leone contrasts vividly with the opportunities and achievements of James Crawford Maxwell, M. D. , LL. D. , University of Edinburgh. After more than a dozen years as a District Commissioner in Sierra Leone, he was a Resident in Nigeria. Maxwell returned to Sierra Leone as Colonial Secretary in 1921 en route to the same post in the Gold Coast, and the Governorship of Northern Rhodesia.

The consequences of the promotion system affected the Protectorate

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81. P.R.O. 267/574 24 January 1917 c. Wilkinson-Long

people directly in the case of Fairtlough who became of impaired usefulness in the eyes of Wilkinson because he was allegedly soured by domestic problems and lack of advancement.<sup>82</sup> If such were the case his £900 a year, D. S. O. , and C. M. G. presumably were not of sufficient consolation to prevent him from inflicting the people of the Northern Sherbro District with an administration which was ultimately proven to be chaotic as well as abusive.

A back-handed compliment to the critical role of the District Commissioner in colonial administrative hierarchy was the tendency for a less lenient view to be taken of their transgressions than those of either lesser administrative officials or of Governors. Presumably it was felt that the ranking political officers in a district were in the position to do the most damage to the causes of the Government in the administration of the Protectorate.

Although it is impossible from the study of cases to determine a hard and fast rule of what specific offences or types of errors tipped the scales against a government official, a pattern emerges of the limits of improper or ill-advised behaviour which were tolerated from the various levels of the hierarchy.

The case in 1901 against J. Benjamin Johnson, a Creole Sub-Inspector of the Frontier Police Force, was based on a wide range of charges from

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82. Ibid.

having his concubine carried in a hammock by forced labour and attended by an escort of Frontiers, to extortion and interference in court decisions. Dr. Hood was sent to 'enquire with an open mind and found that all Fairtlough had said was true of Johnson's living an immoral life and taking advantage of his official position to have his concubine's mother made chief of Mokassi.'<sup>83</sup> Johnson then was allowed to go on his own to collect testimonies in his own defence. Not surprisingly the evidence he gathered upset the findings of the two District Commissioners. Although Hudson, acting as Attorney General, realised the possibility of the witnesses having been 'got at' the question of Johnson's suspension was referred to the Executive Council for their consideration. After being favourably impressed by the defence made orally by Johnson, the Executive Council came to the unanimous decision that he:

"...had interfered improperly and unjustifiably with the internal affairs of the people; that he had exceeded his duty and gone beyond his province in intriguing in respect of succession to chieftoms, and that he had shown a lack of judgement and discretion in dealing with the natives... that he had openly led an immoral life, setting a bad example to his men and forfeiting the respect due his office."<sup>84</sup>

By reason of his past good service and straitforward personal defence, Johnson received a severe reprimand and a transfer to service in Freetown.

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83. S. L. A. 479 1902 22 January D.C. Fairtlough Ronietta Acting Attorney General Hudson 12 August

84. S. L. A. 479 1902 22 January D.C. Fairtlough Ronietta King-Harmon 24 August

Assistant District Commissioner Berney's incompetence and narrow escape from causing bloodshed in tax collection problems in the Safroko Limba area of Koinadugu in 1904 was the final in a series of incidents of poor judgement linked to his name. Before King-Harman's departure he made it a point of record that in the event Berney returned to Sierra Leone after his leave, he not be entrusted with the administration of a district under any circumstances.<sup>85</sup> His successor, Leslie Probyn, apparently regarded the matter with lenience similar to that King-Harman had shown Johnson. Berney served nearly another full term in the Protectorate Administration before he was transferred to another Colony.

Inconclusive accusations against Graham D'Arcy Anderson, District Commissioner of Panguma and the Central Districts from 1901 to 1909, centred on his burning of a dwelling<sup>86</sup> and were nowhere as well substantiated or as serious as those of tax and judicial maladministration brought against Fairtlough.<sup>87</sup> Anderson was speedily removed but Fairtlough allowed to see out the remaining year of his tour before being granted his pension. It can be suggested that the former's tendency to 'close associ-

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85. S. L. A. C46 1904 10 April Acting D. C. Berney Koinadugu  
King-Harman 25 May

86. P. R. O. 267/517 20 November 1909 c. Probyn-Crewe;  
P. R. O. 267/520 21 December 1909 Probyn letter to Crewe

87. P. R. O. 267/574 24 January 1917 c. Wilkinson-Long

ation with the natives' and antagonism of his fellow District Commissioners<sup>88</sup> was viewed with greater disfavour and considered a more serious departure from accepted behaviour than Fairtlough's rough handling of the indigenous population and inept handling of administrative details.

In all cases of charges against government officials there appeared a sense of protecting one's own and allowing face- and pension-saving arrangements which would be least embarrassing. Although such a sense of fair play served to the advantage of the individual administrator as well as to the preservation of the image of the administration in general, it can be questioned what the effects of such a policy were on the Protectorate peoples. If the state of the Northern Sherbro District's affairs after Fairtlough's lame duck year are any example, it can be supposed that in most cases where administrative officials were left to finish out their tours of duty they would do so in a barely perfunctory manner. W. R. Lyon found records hopelessly mixed up and use of them almost impossible due to the confused state of the office and of the filing system. In addition, large numbers of outstanding complaints and over 200 prisoners in a 100-person gaol awaited the arrival of the replacement District Commissioner.<sup>89</sup>

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88. P. R. O. 267/500 18 January 1907 Anderson letter to Elgin;  
 P. R. O. 267/492 22 March 1907 c. Probyn-Elgin;  
 P. R. O. 267/517 20 November 1909 c. Probyn-Crewe;  
 P. R. O. 267/520 21 December 1909 Probyn letter to Crewe
89. S. L. A. C247 1919 12 December D. C. Lyon Ronietta

The Mechanics of Administration

The presence of only a limited number of British officials to effect British rule throughout some 27,000 virtually roadless square miles posed certain logistical problems. The citation by Chalmers that it was a 14 days' journey between Freetown and two of the district Headquarters, Falaba and Panguma,<sup>90</sup> does not seem unreasonable. Not only the terrain worked against rapid communication, but also the climate. During the rains, roads and footpaths became impassable, bridges washed out, and fording places flooded. Even after the Railway and major feeder roads had been completed and administration consolidated it was not unusual for District Commissioners to report the existence of villages not previously encountered and the state of affairs of others visited annually at best.

Communication problems, infrequency and irregularity of patrols to remoter parts of a district, and frequent turnover in European personnel made it essential for procedures concerning administrative affairs to be systematized. However, lack of standardization of such procedures and the consequent variation between the methods of a District Commissioner and his predecessor, and his colleagues in other districts caused discrepancies within the administration of one district and from one district to the next which affected the indigenous population.

Reviewing the way the steps to be followed in the settlement of bounda-

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90. Parliamentary Papers 1899 vol. LX c. 9391 p. 673



ries were arrived at is instructive because disputes over chiefdom boundaries, in particular, were taken very seriously. They were regarded not only as a potential source of unrest but also of tax dislocation. Informal rules of thumb and intuition guided the district officers until King-Harmon issued a circular on the settlement of Protectorate land disputes in 1902.<sup>91</sup> This document apparently had little impact on the procedures followed by the individual political officers. The reports of these men continued to abound with boundary cases complicated by lack of records from predecessors, the tendency of chiefs to appeal long-standing but previously settled grievances to each successive District Commissioner, and lack of uniformity in map terminologies and frames of reference.

Restatement of the obvious was apparently deemed necessary. Instructions of September 1906 called for the rapid settlement of any land dispute, and outlined procedures which were designed to discourage the re-opening of cases; those of the following July discussed the use of assessor chiefs in boundary palavers.<sup>92</sup> Throughout the period under review, district administrators were instructed against re-opening cases settled by their predecessors, and admonished when they did so. Although it was recognized that there were occasions when the appeals were of valid grievances on conditions which had altered to make an earlier decision inoperable, 'cheap

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91. S. L. A. 834 1902 22 February

92. Sierra Leone Standing Instructions of 29 September 1906 and 9 July 1907, respectively

local popularity at the expense of the efficiency of the Government'<sup>93</sup> was considered to be the main result of re-opening cases and reversing decisions.

Despite efforts to formalize practices and precedents in the settlement of land disputes, Protectorate administrators obviously were not applying them uniformly, as revealed by the records of such disputes and by a 1917 report made by Warren. The then District Commissioner of Karene forwarded not only specific criticisms but, in anticipation of a postwar survey of the Protectorate which would require clearly defined chiefdom boundaries, he made proposals for steps to be taken when disputes arose in the determination of such boundaries.

Warren, whose own attention to details was a commendable feature of his reports, found that records throughout the Protectorate were often lacking in such useful 'extras' as the names of Government officials, such as Court Messengers, who were present at boundary agreements. Cases were justifiably re-opened, in his opinion, when the descriptions of the physical boundary could not be followed by the people either due to discrepancy in place names or to bearing no relationship to geographical realities. Warren maintained that such defects were often the result of the areas concerned not having been visited by the political officer making the decision.<sup>94</sup> The suggestions of this experienced First Class District Commissioner were incor-

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93. S. L. A. D. C. Railway #20 1919 28 March Bowden

94. S. L. A. D. C. Karene #60 1917 29 June Warren; Standing Instructions of 17 August 1917

porated into Standing Instruction #1 of 1917.\* Although not all of his colleagues agreed with the required use of assessor chiefs they were denied any options by Governor Wilkinson.

The problems deriving from poor maps existed throughout the period under review for as late as 1924 there was no Survey Department in Sierra Leone and the existing maps for the Protectorate had been compiled by the District Commissioners over the years. The differences in the details provided and apparent attempts made at accuracy in scale, area, place names and locations between the maps required of the five District Commissioners in 1904<sup>95</sup> is very evident even to one not trained in cartography.

In 1904 Captain Warren, District Commissioner of Bandajuma, had conveyed to King-Harmon details of a record-keeping system. These suggestions were among the active files left when Sir Charles assumed the post of High Commissioner of Cyprus. Upon the arrival of Probyn as Governor they were incorporated into Standing Instruction #47 of 1904.

The system of Standing Instructions themselves is worthy of mention. They were a method instituted by Probyn to circulate to District Commissioners for their guidance explanations of general principles and 'detailed statements of policy especially on matters which are either not quite ripe for legislation or on which the issue of formal Regulations under an Ordinance

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95. S. L. A. 3986 1904

\* See Appendix E.

would be premature.<sup>96</sup> Over the years Standing Instructions were issued on diverse topics ranging from Sanitation of Towns in the Protectorate, to The Authority of District Commissioners over Chiefs.<sup>97</sup> These Instructions were not themselves legally enforceable, but beyond being useful guides for desired innovations they often sought to standardize the details of procedures in such mandated actions as The Deposition of Chiefs, and the Collection of the House Tax.<sup>98</sup> The use of Circulars was another means of relaying information, of a more general nature, to district administrators.

Hudson, formerly a district officer and now as Circuit Judge, was used throughout his 1905 circuit to help obtain uniformity among the District Commissioners in the setting up of Decree and Intelligence Books. The contents of these books vary greatly, the most comprehensive entries of diligent and imaginative district administrators including not only the requisite reports of deaths and elections of chiefs, court decisions and boundary agreements, tax assessments, circulars received and orders dispatched. The explanations of decisions and procedures also found in Decree Books were no doubt of interest and assistance to succeeding officers who availed themselves of the information. Of even greater value must have been those entries in Intelligence Books which would qualify as the Michelin Guide to the Sierra

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96. P.R.O. 267/574 24 January 1917 c. Wilkinson-Long

97. Standing Instructions #5 of 1909 26 April, and #9 of 1910 22 August, respectively. See Appendices A and C.

98. Standing Instructions #10 of 1910 22 August, and #4 of 1910 30 April, respectively. See Appendices D and B.

Leone Protectorate. Not only were distances and states of roads reported, but also flora and fauna described and the best places to stay recommended.

Hudson's first report of the working of this system included the observation that the Intelligence Books were of the greatest value and reflected the intelligence of the officers who kept them.<sup>99</sup> Certainly the potential value of these books was enormous for more immediate uses than those of the historian. It must have been gratifying for Sierra Leone administrators to hear that an inspection of the books in 1924 revealed to Furley, who had extensive experience of such matters, that 'the Provincial Commissioners in the Gold Coast Colony have nothing so valuable to show.'<sup>100</sup>

It was his belief that the great value of such work would be more appreciated in the years to come as the country developed. Not only did such assume the utilization of the records but also the preservation thereof. The practice of sending duplicate entries to Freetown to be entered in the Colonial Secretary's Office Decree Book was not adhered to regularly and and did not save them from perdition. Certainly those copies, and later the originals sent to Freetown, stood a greater chance of being protected from the ravages of time, silverfish, flood and careless handling than the ones which remained in district headquarters.<sup>101</sup> However, the surviving contents of the Sierra Leone Archives are not an encouraging testimony to

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99. P.R.O. 267/478 5 June 1905 #234 Probyn-Lyttleton Hudson enclosure

100. P.R.O. 267/603 2 February 1924 #39 Slater Thomas Furley enclosure

101. See Howard, Allen "Survey of Provincial & District Archives, Northern Province, Sierra Leone" Sierra Leone Studies n. s. No. 19 July, 1966

the system of record-keeping which prevailed in Freetown.

Unfortunately the fulfillment of the potential of the Decree and Intelligence Books seen by Probyn and Hudson depended on the men implementing the system as much as on those who came later using and preserving the information. The Standing Instruction did not guarantee that District and Assistant District Commissioners would in fact maintain the record books in the desired fashion, if at all. Nor did it specify contents or format for cataloguing information. Consequently great variations and inconsistencies exist in place names, statistics recorded, and the types and amounts of details such as vote tally for chiefs' elections and names of assessor chiefs in attendance. As a result some district administrators were of the opinion that the records were more confounding than no records at all.

Such was the nature of the system of colonial administration that it was not at all unusual for passing comments of administrators in the field to trigger off enquiries which in turn gave rise to formal directives of legislation. A query by the District Commissioner of the Panguma District, G. D. Anderson, about a chief's stipend caused the newly-arrived Probyn to require a full accounting from District Commissioners and the Colonial Treasurer of all stipendary and other similar payments. This was the first complete rendering of this information and the records were found to be 'hopelessly fouled up' by abrogations resulting from the 1898 Uprising, unreported deaths and disappearances of stipendary chiefs, payments in arrears for



chiefs elected but not reported, and payments not requested.<sup>102</sup>

Probyn's penchant for organisation provided administrators at the time and since, as well as historians, with valuable records, updated annually, of stipends and annual presents to chiefs including the reasons for and dates of origin of these payments. These lists did not, however, include the deaths and elections of the many chiefs and sub-chiefs who were not recipients of such awards. Comprehensive accounts of this nature, and particulars of successors, were not reported until 1912 at which time highly informative and interesting assessments of the existing chiefs were submitted by the District Commissioners.<sup>103</sup>

It was most common for the Governor to initiate a poll of the District Commissioners' recommendations on such matters as the deposition of chiefs and the recruitment of Court Messengers. However it was not unknown for the Secretary of State to take the initiative, and require an accounting of practices or opinions of not only the Governor but also the District Commissioners. As much as the human element precluded the reliable and uniform use of established procedures by all the district administrators, it made equally unpredictable to what extent if any the suggestions of the political officers in the Protectorate would be given proper consideration.

All the factors which affected the amount a Governor was left to his

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102. S. L. A. 2868 1904 4 October D. C. Anderson Panguma

103. S. L. A. C37 1913

discretion, the extent to which he relied on his staff and paid heed to Colonial Office cautions, and received the blessing of the Secretary of State are shown vividly in the way Cardew established a Protectorate. Officials at the Colonial Office may have regretted that he tended to act on his own, counseled him to proceed slowly and carefully with the introduction of the tax, and disallowed major portions of the Protectorate Ordinance which he presented for approval virtually sight unseen. However the fact remains that though by no means exonerated of responsibility for the 1898 Uprising, Cardew was retained to establish British rule once again in the Sierra Leone Protectorate.

## CHAPTER II

THE ESTABLISHMENT AND RE-ESTABLISHMENT  
OF BRITISH RULE IN THE PROTECTORATE

## The Protectorate Inhabitants

It is not the purpose of this study to reiterate the findings of the diverse contemporary observers, historians, and anthropologists<sup>1</sup> who have dealt specifically with the institutions and ways of life of the various Protectorate peoples. However, the similarities and diversities of heritages; customs; and political, economic, and social systems of the pre-Protectorate period have bearing on the effects, both discernible and presumed of the imposition of an alien administration.

"It should be remembered that it was not a No Man's Land which was being dealt with . . . but a populous territory which had been for ages parcelled out and under definite government, though the plane of civilization might be far removed from a European standard."<sup>2</sup>

The fact of original inhabitants of an area sometimes absorbing or being absorbed by invaders makes it difficult to determine the number of

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1. The material in this section is based primarily on the works of Finnegan for the Limba; Dorjahn and Thomas for the Temne; Little for the Mende; and McCulloch and Maxwell (see Chapter I, footnote 16) for the Protectorate peoples in general. In addition there are articles and monographs too numerous to mention in both the old and new series of Sierra Leone Studies.
  2. Parliamentary Papers 1899 vol. LX (The Chalmers Report) c. 9388 Part I p. 23

'tribes,' or ethnic groups, which existed in the Sierra Leone hinterland at the end of the last century. Harvey and Dalby distinguish between 17 ethnic and 13 major indigenous linguistic groups found presently in what was the Protectorate. The distinction is that although several ethnic groups may now speak one language, there may be several languages spoken by the people considered to belong to one major ethnic group.<sup>3</sup> Whichever criterion is used, it is apparent that there are now a significant number of different peoples in this area, and it cannot be expected that any change in this number since the founding of the Protectorate would be one of increase.

Within a major classification, such as the Mende, there was, and is, great diversity as a result of differing contacts with outsiders; geographical location, which affected economic activity and the proximity of people of similar and different ethnic origin; and the extent of political and economic independence.

Just as there was great linguistic and ethnic diversity among the people of the hinterland, there were enormous differences in the political systems. Variables in this respect related to the process by which a person became ruler and the extent to which the ruler held the position of actual power and authority.

Authority and power rested with the person or persons who made the

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3. Dalby, T. D. P. "Languages" and Harvey, M. E. "Ethnic Groups" in J. I. Clarke's Sierra Leone in Maps (London, 1966) pp. 38, 36 respectively

laws and judgements, and saw to their enforcement. There were areas where the ruler exercised these powers and carried out these duties on his own behalf. In other areas the influence of the ruler derived, in part or in total, from the important men of the chiefdom. These men were, in some cases, part of a hierarchy readily apparent even to outsiders. In others they constituted a virtually invisible power behind the throne, often emanating from the inner circles of a secret society, such as the Poro.

As a generalization it can be said that the Temne had one of the most organised, structured political systems. Their rulers incorporated religious and social functions as well as political and, as a rule, were chosen, like the Susu, Limba and Koranko, from the hereditary ruling family in the chiefdom. The Vai, Krim and Bullom rulers were also of hereditary descent, but more often of more than one, or alternating, families.

Although some Mende chiefdoms had established a definite line of succession during the 1800's, many were ruled by the person who exerted the greatest influence at the time of election. 'Influence' can be variously construed to mean bribery, intimidation, or military might, as all had their part in the selection of Mende, and other, rulers.

Succession of descent in all cases would be disrupted by such contingencies as the absence of any rightful claimant, the overwhelming unpopularity of a successor too weak to enforce his claim, or the necessity of deferring in times of war to one who would be a better leader.

This latter consideration was largely responsible for the fact that, in the majority of the hinterland areas, there existed, to a greater or lesser extent at different times, a fluid state in both the number of rulers and their relative ranking. It was not uncommon for independent headmen to give fealty to a strong warrior chief, join against a common enemy, and revert to the former status. Instances of subordinates with equal power as their overlord no doubt derived from such circumstances.

There is a distinction between rulers who paid allegiance to another by virtue of conquest or other obligatory situations, and those who were voluntarily under another's influence. In the latter cases the ruler in the superior position was not necessarily of greater authority or hierarchical rank. He owed his role as consultant and arbiter to the fact he was thusly regarded by other rulers, not to his imposition of his will.

The number of rulers with great power was small; the number with equal powers inconstant. Such conditions bore significantly on the similarly fluid state of chiefdom boundaries. It was the observation of Dr. Maxwell, who became a District Commissioner in 1900, that:

"chiefdoms vary very greatly in area, some being only twenty or thirty square miles, some being several hundred square miles. They also vary in age, some dating back if tradition is to be relied on to the settlement of the people in the country, others having sprung up shortly before the administration of the Protectorate began. There were continuing wars in the country even between the different sections of the same people, and in consequence up to 1896 the chiefdoms were continually altering."<sup>4</sup>

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4. P.R.O. 267/503 25 April 1908 #209 Probyn-Crewe Maxwell enclosure



Vague, indeterminate spheres of influence coexisted in the hinterland with ones which were well-defined. On the one hand areas were conquered by invaders and subsequently controlled or absorbed. On the other hand, it was not unusual to give lands as payment for defence. Such a procedure could work in one of several ways, for not only could areas be given to a protector, but also as a bribe to a threatening invader. Margai I of Mabanta was alleged to have traded part of his chieftom in 1894 as a bribe to prevent tribal massacre.<sup>5</sup>

As a consequence of human nature, and a history of trade competition, and of warfare, each group of peoples or chieftom or the Sierra Leone hinterland had some people who had traditionally been their enemies, some who had been their allies, and some who had at different times been both. The animosities between various groups of people has already been shown to have been a factor in the determination of district boundaries by the Protectorate administrators.

In the years prior to 1896 the British Government had made treaties with individuals whom they believed or were led to believe were the rulers of various areas. At the time of the establishment of the Protectorate administration, the Government recognized these and others as being the Chiefs and

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5. See S. L. A. 4557 1901

Paramount Chiefs<sup>6</sup> through whom British rule would be administered. The records do not reveal any process by which either the non-treaty chiefs or the ranking of any of the rulers was determined.

The various situations described above were the ones on which a uniform system of administration was imposed. To a varying extent administrators were aware of and appreciated the conditions which had prevailed prior to the establishment of the Protectorate, and the diversity within these conditions. Nevertheless they proceeded in a generally inflexible manner that was not without consequences for the inhabitants of the Protectorate and their indigenous institutions.

#### The Reception by the Protectorate Inhabitants of the Establishment of a British Administration

Although Cardew had made extensive tours of the hinterlands the two preceding years, his marathon journey in the early part of 1896 was for the express purpose of explaining the proposed Protectorate administration to the chiefs who assembled along the 700 mile route. The assessments of these meetings after the fact of the 1898 Rebellion were undoubtedly coloured by that experience. However, neither Cardew nor J. C. E. Parkes, his Secretary for Native Affairs who accompanied him as Interpreter, ventured unwaiving confidence of the chiefs' comprehension of the terms and conditions

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6. These distinctions and terminologies date from the Protectorate Ordinance #20 of 1896. See also Fyfe, History ... op. cit. p. 542

of the intended policy that Alldridge maintained had characterised his earlier treaty-making experiences.<sup>7</sup>

It was the conclusion of Sir David Chalmers, who investigated the Insurrection, that there had been nothing in the meetings to indicate to the chiefs any change in the relationship which had previously existed with the Government.<sup>8</sup> However, Chalmers' mistake was in examining 'the content of these meetings to see if and how much they created a basis of consent on the part of the Chiefs for future legislation by which Cardew intended the country should be governed.' For present purposes the paving of the way for the Protectorate must be considered in view of the facts that a 'de facto' Protectorate already existed, and the right to dominate the inhabitants of the hinterland had never been challenged but indeed confirmed by international agreements, Parliament, and British and Creole public opinion. Cardew's tour must be seen as an act of etiquette. A stubborn, impatient man such as he, lacking time or appreciation for subtleties, would regard any reaction short of over-dissent as acquiescence.<sup>9</sup> By his own admission Cardew attached no importance to the consents of chiefs, nor thought he had obtained 'any active assents, nor dissentient voices.'<sup>10</sup> Certainly he was not seeking a mandate to the Protectorate but merely preparing the people to ensure its

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7. S. L. A. 1264 1904 17 July D.C. Alldridge Sherbro

8. Parliamentary Papers 1899 vol. LX c. 9388 p. 23

9. Ibid. p. 21

10. Ibid.

peaceful reception.<sup>11</sup> In the absence of any tangible opposition to his proposals Cardew no doubt assumed the details of the forthcoming administration were comprehended, if not whole-heartedly accepted.

The various chiefs' petitions and delegations<sup>12</sup> during the year and a half interval between the proclamation of the Protectorate and the outbreak of the 1898 Rebellion testify to the fact that the Protectorate Ordinances were not clearly understood and certainly not well received.<sup>13</sup> It is scarcely surprising that the chiefs found the terms of the Protectorate Ordinances difficult to understand. The original ordinance sent to Chamberlain in September 1896 required major alterations. The land clauses, cause of much distress to the Protectorate rulers, were not allowed. However, with this change and the many incorporated into the revised Protectorate Ordinance #11 of 1897, the first impression was the lasting one. For the most part, the extent to which the conditions of the Protectorate were understood by the indigenous population, they were understood in the terms of the original ordinance.

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11. P.R.O. 267/421 21 October 1895 Cardew-Chamberlain

12. See Parliamentary Papers 1899 vol. LX c. 9391 pp. 568-583

13. The events leading up to and surrounding the 1898 Uprisings in the Sierra Leone Protectorate are covered by many people from many points of view. For contemporary works, see Wallis, C. B. The Advance of Our West African Empire (London, 1903) and the evidence gathered by the Royal Commission which sat in Freetown immediately after the suppression of the Rebellion, Parliamentary Papers 1899 vol. LX (The Chalmers Report) c. 9391 Part II. Fyfe's History ... op. cit. puts this period in its historical perspective, and the recent publications of L. Denzer offer the most complete and scholarly coverages.

This author does not subscribe to Grace's thesis that there is a correlation between the numerous references in the 1897 Native Affairs Letter Book to chiefs dealing directly with Freetown and their ignorance of the new administration and the fact that they were now required to deal with district officers.<sup>14</sup> In light of the fact that Chalmers cited that chiefs had in 1896 and 1897 voiced objections to being cut off from Freetown and made to go, sometimes a much greater distance, to district Headquarters, the incidence of persistence in dealing with officials in Freetown directly could be construed as perverse resistance to and non-acceptance of orders to deal with the District Commissioners.

The events which led up to and culminated in the 1898 Rebellion are significant to this study in that they were the initial reaction of the peoples of the Sierra Leone hinterland to the establishment of a British Protectorate over them. It is important to examine the factors which contributed to the Rebellion as they reveal the features of British rule which were opposed. Together with a determination of what adjustments were made to the system of rule as a result of these grievances and of the recommendations made by Her Majesty's Commissioner investigating the Insurrection, the reception of the Protectorate by the indigenous population constituted the basis on which the administration was laid. It will be a matter of subsequent discussion to what extent the grievances of this period may have persisted and influenced

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14. Grace, op. cit. p. 179

the consolidation of British rule in the Sierra Leone Protectorate during the first quarter of this century.

Official investigation and contemporary observation pointed to numerous reasons for what was termed the Hut Tax Rebellion by proponents of the single-answer theory. The hut tax was but one issue of many which revolved around the extent and nature of British influence which had evolved during the years previous to the declaration of a Protectorate and culminated in the Protectorate Ordinances. Interference and mistreatment by the Frontier Police; cessation of the slave trade; limitation of power and interference with customary practices; departure from the former relationship of sovereign and equal powers; failure to comprehend the requirements and implications of the Protectorate Ordinances; and misconception of British military power were factors which affected, to varying degrees, the inhabitants of the hinterland and which led them to active rebellion.

Throughout the 1890's the clearest indication of British presence had been the Frontier Force. Prior to the Rebellion and during the enquiry into its causes, numerous allegations were made of Frontier Police interference in the affairs of the indigenous population, over and above those centring on the abuses related to the collection of the hut tax.<sup>15</sup>

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15. See Parliamentary Papers 1899 vol. LX c. 9391 pp. 563-565 for 'Frontier Police convictions against natives of the Protectorate'



It was the recollection of the wife of a United Brethren in Christ missionary that the agents of the Government ruthlessly collected the tax, plus their own 'side earnings.'<sup>16</sup> Measures such as intimidation, burning and plundering, and binding and flogging the chiefs and treating them like common criminals were used to enforce payment of the tax and the extortions.<sup>17</sup>

The very nature of the duties of the Frontiers constituted interference although the Government made a distinction between activities which were permissible and those which were not, and which could be, even in their eyes, construed as intervention in the internal affairs of chiefdoms.<sup>18</sup> However, using the terminology 'interference' in the latter sense, many of the recorded grievances were not without basis. Terror tactics were used to intimidate the people and enable the Frontiers to obtain material and political advantages. Despotism was assumed, chiefs installed against the will of the people, property seized, and the people generally and specifically abused.<sup>19</sup>

Grace maintains that a lot of the criticism aimed at discrediting the

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16. Hough, *op. cit.*

17. Little, *The Mende ... op. cit.* p. 58

18. P.R.O. C.O. 271/5 fol. 22 January 1889 Frontier Police Instructions *Sierra Leone Royal Gazette*

19. Among the places where such occurrences are documented are Fyfe, *History ... op. cit.*, and Grace, *op. cit.*, and the testimony of J. C. E. Parkes *Parliamentary Papers* 1899 vol. LX c. 9391 pp. 561-562. The unpublished M. Litt. thesis of N. H. R. Etheridge is specifically concerned with The Sierra Leone Frontier Police: A Study in the Functions and Employment of a Colonial Force (Aberdeen, 1967)

Frontier Police was made by those most threatened by the Frontiers--the traditional ruling and slave-owning classes.<sup>20</sup> Indeed it would be these powerful men who, receiving little or no satisfaction from the Government in their appeals against the Frontiers, would become increasingly resentful of the alien power, and its representatives who prevented them from reverting to the order of things which prevailed before the coming of the British. It would be irrelevant to these chiefs, as it is to this study, whether or not their complaints specified their desire to continue slave trading and identified their attendant loss of revenue and power as a source of grievance. The fact remains that it is a matter of record that the Government did little to assuage these grievances besides reprimanding the Frontiers and issuing assurances that they were ordered not to interfere with domestic institutions.<sup>21</sup> As the Police lacked adequate supervision and were scattered in small groups all over the hinterland, the Government, in the eyes of the people, did nothing to improve the aggrieved conditions.

Although the motive for the 1898 Rebellion of wanting to return to a former state of affairs is mostly attributed to the Mende, it would have varied in intensity from one Mende chief to the next, and would not be a sentiment exclusive to the Mende. This variation would depend on the degree to which internal chieftom affairs and customary practices had been interfered

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20. Grace, op. cit. p. 119

21. Ibid. pp. 113, 117-118

with.

The nature of the relationship which had existed between the British Government and the chiefs prior to 1896 varied greatly. As a result there was a divergence in the chiefs' understanding of the new conditions as well as in their reaction to them. Chiefs in the vicinity of the coast, navigable rivers and along caravan routes, who had long been actively involved in the slave and/or legitimate trade, would have had much more experience with British traders, troops and treaty-makers than chiefs of the more remote areas visited perhaps only by Garrett or Alldridge on their recent treaty-making expeditions.

Lack of comprehension of the Protectorate Ordinances on the part of many of the indigenous rulers who had enjoyed a long and equitable association with the British Government assumed the form of disbelief at this departure from the established pattern. Temne chiefs petitioned the Legislative Council in October 1897 to the effect that their initial silences, construed to mean acceptance, were hesitations caused by the assumption that they had misunderstood the implications of the Protectorate Ordinances which were 'unlike the spirit of the English people with whom (we) have had to deal now over 110 years.'<sup>22</sup> The loss of their faith in the British Government which failed to put everything right was eloquently expressed by their resistance to

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22. P. R. O. 267/435 8 December 1897 c. 49 Cardew-Chamberlain  
Temne chiefs enclosure of 15 October 1897

taxation, Cardew's anticipation of no such difficulties aside.<sup>23</sup>

Certainly many of these and other chiefs had not felt the effect of British authority and influence to the forewarning extent of rulers whose affairs had been increasingly and arbitrarily interfered with during the 1890's. These latter rulers might well be in a position to understand the implications of the Protectorate Ordinances but were not prepared to acquiesce to the terms thereof. In the opinion of a missionary sent to reestablish the Rotifunk mission after the Mende Uprising, to those whom 'the benefits of the Government and the Protectorate were not apparent,' let alone desired, 'the tax was not understandable.'<sup>24</sup> Either by reason of inadequate explanation or incomprehensibility as an unprecedented concept, the institution of the tax, let alone its collection, was regarded by the chiefs in the Protectorate as a controversial and ultimately explosive issue.

It would be a mistake to suggest a direct correlation between the type of contact with the British Government and the degree of comprehension of their new regime. Among the other factors which bore on the way the Protectorate was received was the way the indigenous population was informed.

The meetings Cardew held with chiefs were not only a bad basis on which to judge their response but also were an ineffective means of dispersing information about the new administration. The evidence given Chalmers, es-

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23. P. R. O. 267/427 14 December 1896 c. 61 Cardew-Chamberlain

24. Hough, op. cit.

pecially by Parkes, pointed to the fact that many of the meetings were not attended by the Paramount Chiefs, but by their sub-chiefs who were to convey the Governor's word to their paramount chiefs.<sup>25</sup> Not only was the number of chiefs Cardew saw not representative of general opinion, but also the absent chiefs were left to infer what they liked from those who had met with the Governor or from second-hand accounts or worse.<sup>26</sup> Such an indirect means of conveying the details and explanations of a radically new system of rule was open to the inevitable distortions, exaggerations, and misconstructions of word-of-mouth transmission.

Difficulties in interpretation would have the effect of further confusing Cardew's message even before it was passed on to others. Little feels it is open to question how far the various provisions of the proposed ordinance were properly comprehended by the chiefs Cardew did meet as there would have been the necessity, in a number of instances, of re-translating. In circumstances of trying to convey novel and culturally alien ideas, confusion and misunderstanding often results from such a process.<sup>27</sup>

The circular sent in October 1896 from the Native Affairs Department to chiefs was not any more a reliable or successful means of explaining the Protectorate Ordinance than had been the meetings. The number of chiefs

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25. Parliamentary Papers 1899 vol. LX c. 9391 evidence of Parkes and others, pp. 7130-43

26. Little, The Mende ... op. cit. p. 58

27. Ibid.

able to read such a document, let alone appreciate its novel concepts, was miniscule; many of the people turned to by the chiefs for assistance in deciphering this message would be semi-literate at best. Distortion would have resulted, either accidentally or deliberately by those seeking political or pecuniary advantage at the cost of the chiefs.<sup>28</sup>

The use of District Commissioners to reveal the contents of the circular and explain the new administration was little more effective, as some did not receive a copy,<sup>29</sup> and the efforts of others were impeded by the same difficulties of interpretation and translation which plagued Cardew's meetings.

Grace adds a further dimension to the introduction of the administrative system. In order to bring about change amid conservative people, men of patience and tact who would be trusted were needed. Cardew had filled the posts of District Commissioner from the ranks of the Frontier Police officers who were accustomed to dealing in an authoritative manner and lacked the qualities necessary to ensure understanding and cooperation. The District Commissioners' efforts to introduce the new regime would be further complicated by the fact that they would be regarded with the same distrust and hatred which the people felt toward the rank and file of the Frontier Police.<sup>30</sup>

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28. Fyfe, in his History ... op. cit., colourfully describes the circular and some of the resulting misconceptions. p. 552
29. Parliamentary Papers 1899 vol. LX c. 9391 evidence of D.C. Fairtlough of Ronietta, pp. 4946-49
30. Grace, op. cit. p. 176



The military factor bore on the 1898 Rebellion in two respects. Little contends that Mende chiefs knew of only one precedent by which people could claim the right to dominate and regulate the affairs of another--military conquest.<sup>31</sup> In view of the facts that the majority of the treaties had not been made at gunpoint, and the greater part of Mendeland had little or no experience with the real power of the British, it is not surprising that the Mende not only rejected the as-yet unproven claim of the British to rule them but did so forcibly.

It has been similarly argued that many of the chiefs who threw in their lot on the side of rebellion would not likely have done so had they ever been in the position to correctly assess the military might of the British.<sup>32</sup>

The fact that neither colonial officials on the scene or in London, nor contemporary observers, could agree on the cause of the 1898 Rebellion--although they did distinguish between the Bai Bureh War and the Mende massacres--indicates that they did not understand the inhabitants of the Protectorate. Such a lack of comprehension, which resulted from lack of inclination to fathom the minds of the protected peoples, then and in years to come rendered the administrators unable to perceive accurately how policies and instructions were being interpreted, or misinterpreted.

From the time of the crushing defeat at the hands of the British,

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31. Little, *The Mende* ... *op. cit.* p. 56

32. P.R.O. 267/440 23 August 1898 c. 68 Cardew-Chamberlain  
Fairtlough enclosure of 4 August

Protectorate chiefs were not again inclined to express their dissatisfaction, discontent, or opposition by forms of outward rebellion. To find subsequent negative reactions to British rule of the Protectorate one must look for more subtle expressions of resistance, such as non-cooperation with Government directives, or acts designed to undermine the undertakings and supporters of the administration.

### Consolidation of Protectorate Administration Following the 1898 Rebellion

#### Introduction

The effects of the 1898 Rebellion on the administration of the Sierra Leone Protectorate were many and long-lived. In addition to the changes which were made in the administrative structure, the Government removed and replaced a number of chiefs and redistributed the chiefdoms of others'. The repercussions of these alterations in chiefship lineages and in chiefdom boundaries and allegiances were expressed in such forms as chieftaincy claims and land disputes. These issues were by no means settled in the years immediately following 1898, as many were still being raised at the end of the period under examination. The attitudes of the colonial administrators and Protectorate population toward each other were also affected by the experiences of the establishment of the Protectorate and the 1898 Rebellion.

The British officials were jarred out of the apparent complacent belief that the indigenous population was docile and accepting of the Protecto-

rate, rumours to the contrary aside. In the years that followed the Rebellion, British colonial and military officers demonstrated wariness and skepticism that sometimes bordered on the paranoic. Such underlying suspicion no doubt caused some officials to act hastily and show poor judgement which in many of those cases resulted in ruthlessness and oppression. Certainly they could not be faulted in the future for dismissing rumours and warnings of impending disturbances without action or due consideration.

The chiefs and their subjects learned the bitter lesson that active resistance to British rule was futile. Such opposition as did exist to specific colonial policies or to colonial administration in general was subsequently expressed in a variety of forms but never again in organized military revolt.

The re-establishment of order and British rule in the Protectorate was accomplished by both immediate stop-gap efforts to restore a state of normalcy, and by measures taken with more deliberation and designed to reach the roots of the problems which had presumably caused the Rebellion. It is evident that although peaceful conditions were obtained by methods such as displays of military force and increases in European Protectorate staff, the consolidation of British administration was by no means achieved in a short period of time.

Reprisals against chiefs who had rebelled against the Government in 1898 were received by the Protectorate people largely without complaint. Subsequent appeals for reinstatement of banished chiefs or for restoration

of re-allocated territories are considerations independent from the fact that loss of position, land, and life was anticipated and accepted treatment of leaders defeated in war. Indeed it could be argued that the consequences suffered by the chiefs involved in the 1898 Rebellion were of far greater precedent and comprehension to them than the very factors which had brought on the Rebellion.

The fact of tribal rulers being removed from authority caused some chiefdoms to be absorbed by or be placed under the paramountcy of other, loyal, chiefs. In other cases vacancies were filled by nominees chosen either by traditional means or by Government appointment. The lack of opposition at the time to the majority of such acts no doubt derived equally from fear of further retaliation at the hands of the Government and from a sense of just retribution.

A distinction must therefore be made between the negligible reaction to the actions taken both as reprisals and as efforts to restore administration in various chiefdoms, and subsequent effects of these actions and numerous attempts to regain lineages or boundaries which had existed prior to 1898. However much colonial administrators might have sought just solutions to disputed successions and borders, they were unlikely always to have reached decisions which were to the satisfaction of all concerned. In every case there would be an aggrieved party deprived of the lands or position he considered his either by tradition or by usage since 1898.

The indigenous population did not escape the effects of these disputes. Contesting parties might employ methods of coercion or intimidation to gain their support, or might subject them to payment of dual tax and tribute. The placement of a Poro restriction on the collection of produce from disputed areas would also directly affect the people.<sup>33</sup>

### Alterations in Chieftaincies

The treatment of chiefs who revolted against the Government varied greatly, depending on the nature of their involvement and crimes, as well as of the extent of their influence in the Protectorate. A distinction was made in the charges, punishment, and remission of sentence between chiefs such as Nyagua and Bai Bureh--who 'fought fairly and honestly' against Government troops--and the leaders of the Mende Rising in which many civilians were slaughtered. While the former were deported to the Gold Coast for their parts in the Rebellion, their Mende counterparts faced charges of murder.

Gbana Lewis of Sherbro Island, who had led the 'one word Poro' against Sherbro trade in 1897, was also deported and imprisoned in Christiansborg. This action was taken not so much for any proven part in the Mende Rising as for fear of continued disruptive use of his considerable influence. Other participants in the Rebellion who did not fall under the

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33. See Chapter 5, footnote 12

terms of the amnesty were detained or received prison sentences of varying duration. Fyfe records that of the 233 cases which centred on the Mende Massacres there were 158 convictions, with recommendations of mercy for those who had merely carried out chiefs' orders. Although the Executive Council confirmed the death sentences on 96, Cardew only officially reported 83 hangings.<sup>34</sup>

Some of those whose sentences were commuted to life imprisonment were twice favoured with mercy by the Colonial Government, as in the case of Bereweh of Bumpe. This 'aged and powerless' chief was pardoned and released in 1907.<sup>35</sup> As any of the convicted chiefs were released from prison and went back to the Protectorate, the Government was faced with the problem of whether or not to reinstate them to their former positions or to restore their property.

The Government's official line on both these matters, and that of the actual release of the leaders of the Rebellion, was one of stern magnanimity. From outward appearances it would seem that the colonial administration subscribed to the theory of rehabilitation by punishment and prevention by example. Appeals for the release of prisoners were viewed in terms of whether or not the punishment had been severe enough to discourage future disloyalty to the Government.

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34. Fyfe, *History ... op. cit.* p. 589

35. S. L. A. 5027 1905 28 September Acting D. C. Paling Bandajuma  
9 July 1907 Executive Council pardon



The district officer sent to discuss the conditions under which Bai Bureh was being allowed to return was instructed by Haddon-Smith 'to make it out as a most humane and graceful act (that) the Government not only lets him return but approves of his being chief, proving the justice of the British Government against those who rebelled against them.'<sup>36</sup>

The aspect of his re-instatement is not substantiated by any prior or subsequent instructions but the reports do show 'the people under a misapprehension' in believing Bai Bureh was to be allowed to act in his Paramount Chief capacity.<sup>37</sup> Presumably the misapprehension derived either from having been misinformed, or from being told of a decision which was later reversed. However, there is nothing in the records<sup>38</sup> to suggest whether or not at one time the Government did plan to allow Bai Bureh to resume his position as Paramount Chief of Kasse(h). The fact remains that he ultimately did not, and the anticipation and then disappointment of his people were probably more harmful to the cause of a settled state of affairs than he as an aged and infirm ruler would have been.

A generally lenient but realistic approach was made to considerations of whom to release and under what conditions. As in 1899 when Major Nathan, as the Officer Administering the Government, had contemplated

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36. S. L. A. C115 1905 31 July Acting D. C. Oswell Karene  
11 August 1906 Haddon-Smith-Oswell

37. S. L. A. 3844 1905 8 May Govr. Probyn

38. S. L. A. 3844 1905; S. L. A. C115 1905; P. R. O. 267/480  
11 September 1905 #412 O. A. G. Haddon-Smith-Lyttleton

allowing Bai Bureh and Nyagua to return to their countries,<sup>39</sup> cases were assessed in terms of the use to which the chiefs' influence might be put and of the internal stability of the chiefdom at the time of the appeal. Whereas (Sori) Bai Fo(r)ki of Mafo(r)ki (Port Lokko) was thought likely to be tempted to use his considerable power to do mischief upon finding dissatisfaction already at hand in his chiefdom,<sup>40</sup> other chiefs virtually were sent home to restore order. The criterion in all cases was to avoid unrest. Consequently particularly in cases of lesser personages, the Government sought to restore those chiefs whom the people wanted and agreed on but as a rule refused to 'make the people return' to a chief against their will.<sup>41</sup>

The adjustments necessitated by the return and re-instatement of Alimami (Sattan) Lahai of Rowula are also indicative of the lengths gone to by the Government to minimize friction. In his absence the country of the

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39. It is ironic that Nyagua, whom Nathan was on the verge of sending back to Panguma 'as he would be useful in re-establishing peaceful and orderly conditons' died in the Gold Coast while Bai Bureh, by far the greater threat to internal security in Nathan's eyes, later returned to die in his own country. The promise King-Harmon made in an address at Panguma in 1902 (P. R. O. 267/462 29 January 1902 #25 King-Harmon-Chamberlain) to allow Nyagua to come back and be re-instated was never kept although it is hardly likely that the 'pending boundary disputes and several confused chiefdoms (that had to be) properly organised' before his return remained an impediment until Nyagua's death in 1906. There is no evidence of any decision to reverse this promise, nor of any effort to communicate further with the people, who had broken out in a pandemonium, expressive of unallayed delight' at the time of King-Harmon's announcement.
40. P. R. O. 267/458 27 May 1901 #175 King-Harmon-Chamberlain
41. See S. L. A. 1001 1901 28 February Govr. King-Harmon; S. L. A. 4109 1903 6 October King-Harmon to D. C. Anderson Panguma

Alimami had been administered by one Bai Secca who had, since 1898, 'been loyal, able and instrumental to peace.' As a consideration for the Chief's efforts King-Harmon felt he should be appointed an independent chieftain.<sup>42</sup> In this case and others it was quite sensibly realized that the presence of a former chief who had the support of the people would undermine the power of one appointed in his stead. Although there is no further information in the papers related to this case, the inventory<sup>43</sup> of chiefs and chiefdoms sent by the District Commissioners in 1904 for the creation of Local Assemblies gives evidence that this arrangement for two chiefdoms was carried out.

In the same way that there was no simple formula for determining whether or not to allow a chief to return to his country and/or to be re-instated as chief, there were many factors to consider in claims to chieftaincies disputed as a result of the 1898 upheavals. Throughout the period under review, a significant number of the claimants to chieftaincies base their grievance on successions which were allegedly disrupted in 1898. It was difficult for colonial administrators at the time to arrive at the truth of many of these matters; it is virtually impossible for an observer after the fact and hindered by gaps in the records to do so. However, the validity of the claims aside, the fact of so many claims indicates that the period during and after the Rebellion was regarded by many inhabitants of the Protectorate

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42. P. R. O. 267/458 27 May 1901 #175 King-Harmon-Chamberlain

43. See S. L. A. 3986 1904

as one of unsettled conditions. It is a matter of conjecture how many false claims were made in hopes of taking advantage of the sparsity of records, turnover of administrative personnel, and general confusion associated with this period. There is no certain way of knowing how many rightful claims were not allowed, nor how many contrived ones recognized by those administrators who tended to accept petitions for the restoration of pre-Rebellion conditions as probable, and as potentially disruptive if ignored.

It was certainly a disruption to all concerned when 500 people of Tungea in the Gorama country of the Railway District camped in Lamboi's Ipa Mendi chiefdom in Ronietta for over half a year. Fairtlough, the District Commissioner at Moyamba, felt their claim for a chiefdom independent of Madam Fangowa of Wando was not without merit. It was his recollection, and reminder to Maxwell in Kenema, that they had been separate chiefdoms up to the time of the execution of Dambeh, chief of Gorama, for the murder of a Corporal Thomas during the 1898 Rebellion. The right of the people to their own chiefdom was never denied. However, Dr. Maxwell, using the discretion explicitly given him by Probyn, did not deem it an appropriate time to divide the country lest it appear he had given into what he considered open defiance of his orders to 'sit down with' Madam Fangowa.<sup>44</sup> It was not until 1915, following Maxwell's departure from the Railway District and the Protectorate that Gorama and Wando once more became separate chiefdoms.

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44. S. L. A. 4327 1908 23 February 1909 D. C. Maxwell Railway

It was not always the case that the Government was so readily able to arrive at the truth of statements of claims based on conditions dating from the upheaval of the Rebellion and its aftermath. Where the migration of the Gorama people was costly to themselves and to their reluctant host, the events surrounding the election, and almost immediate deposition and candidature for re-election, of Lahai Conteh as Paramount Chief must have been unsettling in a different manner for the people of the Jawi chieftdom in the Railway District.

The arrest and pending trial of Interpreter Ahamadu for bribery in another issue was the deed that undid Lahai Conteh's 1913 election. The leading men of Jawi, freed from the alleged threats that had silenced them thus far, took their grievance to Captain LeMesurier who, as Acting District Commissioner, had presided over the election. The complaint was that Conteh had won by use of bribery and undue influence in collaboration with Ahamadu.<sup>45</sup>

Dr. Maxwell, consulted on leave, was one among many of the colonial administrators who did not believe in Acting District Commissioners handling sensitive enquiries or making important decisions. He was overridden in his opinion that LeMesurier should not proceed without him by Merewether, who rarely supported his senior administrative staff, and by E. E. Evelyn. The Colonial Secretary's reasoning was irrefutable: "postponement until the

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45. S. L. A. C201 1913 14 October Acting D. C. LeMesurier Railway

District Commissioner's return would have a very injurious effect on the authority of Acting District Commissioners and Assistant District Commissioners."<sup>46</sup>

The question of appearances and the possibility of adverse effects on governmental authority was in this, the Gorama, and many other cases a factor which outweighed expediency and right.

The Acting District Commissioner found that Lahai Conteh was the descendant of the warrior chief, Gpawor Gumbay, whose charms were made by Forray Gbey, a Mohammedan 'stranger' and the grandfather of Forray Vong against whom the complaint was being made. It was alleged by Lahai Conteh, and not challenged by other witnesses, that after 1898 the land was unsettled, and chieftaincy vacant, and Forray Gbey's son, Vandy Vong, 'deputed to treat with the District Commissioner for the settlement of the country and the regular payment of the tax.'<sup>47</sup> It was stated by Conteh that when the District Commissioner advised a new chief be set up, Kponi, the rightful successor of the house which allegedly always held the chiefship, voluntarily waived his right in favour of Vandy Vong who was an older and far more experienced man and had been brought up as his foster brother. After the death of this 'stranger' chief, Kponi and his brother Gumba Kra,

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46. S. L. A. C201 1913 14 October Acting D. C. LeMesurier Railway 1, and 5 November C. S. Evelyn-LeMesurier

47. S. L. A. C114 1913 24 December D. C. Maxwell Railway Lahai Conteh petition of 19 December to O. A. G. Hollis



both maternal uncles of Lahai Conteh, were chosen at successive elections at each of which sons of Vandy Vong had stood and been rejected.

In the second election between Lahai Conteh and Forray Vong, the latter received a majority of the votes. An interesting point of issue raised by Lahai Conteh was the reportedly hitherto unknown feature of taking votes per capita rather than per headmen.<sup>48</sup>

Upon Maxwell's return to the area of which his intimate knowledge previously had been commended,<sup>49</sup> he expressed such skepticism of the entire incident that the act of reholding the election no less than its outcome becomes suspect. Maxwell's assessment of the proceedings should have been carved over the door of each district Headquarters: "at every contested election there is a certain amount of wire-pulling and intrigue on both sides by the candidates and supporters, and too much importance should not be put to it unless some very improper act can be established."<sup>50</sup>

It is ironic that LeMesurier himself admitted that it was hard for a European to know what went on behind the scenes of an election,<sup>51</sup> but does not consider the possibility that undue influences might have been at work in the second election to prevent Lahai Conteh's election. Maxwell was now left to live with a situation and deal with a Paramount Chief created by having

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48. Ibid.

49. P. R. O. 267/468 16 April 1903 #83 King-Harmon-Chamberlain

50. S. L. A. C201 1913 14 October Acting D. C. LeMesurier Railway  
D. C. Maxwell 2 December minute

51. S. L. A. C201 1913 14 October Acting D. C. LeMesurier Railway

left the initiative to a person not closely familiar with the people and whose interpretation of what constituted 'an improper act' seemingly differed greatly from his own.

Such a case has implications not only for the peaceful state of a chiefdom and for the authority of a chief whose claim and election might be invalid. It also reveals highly questionable election proceedings, administrators at serious variance with each other, and the type of situation which the conditions after 1898 gave rise to.

In addition to cases of re-instatement, the lenient attitude of the Government toward the Karene chiefs is apparent in the records of payments of stipends. The majority of these, and a few other, stipendary chiefs abrogated their treaties 'as a consequence of the active part taken in the Rebellion of 1898.'<sup>52</sup> It was stipulated that the stipends were payable during good behaviour. The records indicate a rapid return to this state was either achieved or aspired in the eyes of the Government for by 1901 almost all stipends had not only been re-instated, but increased. The few chiefs who were still deprived of stipends because of the more serious transgressions of their predecessors were awarded annual presents.<sup>53</sup>

#### Alterations in Chiefdoms

The delineation of chiefdoms for purposes of Protectorate adminis-

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52. See S. L. A. 2868 1904

53. See S. L. A. 419 1901

tration, the amalgamation or division of chiefdoms as a result of the 1898 Rebellion, and the later re-distribution of some of these altered territories were matters which affected a great number of people more directly than did the questions of succession. In both types of disputes the people would be subject to various forms of coercion to get support of claims. However, in issues that were concerned with the creation or dissolution of chiefdoms, the inhabitants of an area were likely additionally to be taxed and have customary tribute exacted from them, not only by the chief under whom the Government had placed them, but also by the one to whom they had formerly paid allegiance.

Although the Government could confer an area and a title they could not guarantee the prestige of the chief nor the loyalty of the people to a Government-appointed ruler. This trust was most evident in the instances of palavers being taken out of chiefdoms to chiefs who no longer had jurisdiction.

"As it would be against all precedent for one chief to settle disputes between other Paramount Chiefs, all being of the same rank," Allimany Samba of Lunge, Bullomland, was not allowed to go into another chiefdom in 1901 to settle a quarrel.<sup>54</sup> Government officials did not deny, in this case or others such as a 1914 incident in Koinadugu, the claim of association with the disputing parties, their voluntary request of help, or that in times past

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54. S. L. A. 3851 1901 6 September Acting D. C. Page Sherbro

the chiefs had acted in this capacity. When approached by Paramount Chief Bafarra of Kalliyang chiefdom and one of his chiefs, Fabol Karifam, to settle a dispute between them, Bamba Farra, who was described as being of the old school of Paramount Chiefs, decided 'in good faith' that the sub-chief should be an independent chief of his own territory. Stanley readily admitted that Bamba Farra:

"... in the days before the advent of the government exercised an undoubted authority over the Kalliyang chiefdom as well as over his own and had in fact originally been responsible after the Samori raids for the positions of the present Paramount Chief and the sub-chief, both being regarded as sub-chiefs under him."<sup>55</sup>

The reprimands and explanations of the facts that the Government had to support all Paramount Chiefs equally and that the Governor alone had the power to appoint Paramount Chiefs must have been all the more confusing when the District Commissioner proceeded to approve the very division made by Bamba Farra.

As a general rule the Government gave special and serious consideration to situations and petitions which arose from chiefdoms reshaped by the events of 1898. Following the removal of rulers as a result of participation in the Rebellion, the people of a number of chiefdoms either voluntarily placed themselves or were put by the Government under the authority

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55. S. L. A. C90 1914 4 May D. C. Stanley Koinadugu

of neighbouring, loyal chiefs. With the passage of time and the settling of conditions in the Protectorate, there was an increased tendency for these groups to petition for their independent chiefdom status to be restored. In cases, as Dambarra in Panguma, where the ascendancy of the chief, Madam Margbeh of Garlu, had been obtained by Frontier Police coercion;<sup>56</sup> and, as in Mokassi, where the inhabitants had sought the protection of another chief-- in this case Madam Nancy Tucker of Bagru (Bargrue)<sup>57</sup>--the Government made every apparent effort to restore the traditional boundaries.

Not all reconstitutions of chiefdoms altered as a result of the Rebellion came about because of petitions from aggrieved parties. The re-division of the approximately 1,000 square mile Sanda chiefdom in Karene was instigated by the District Commissioner in 1914. Warren believed that the recent death of the Paramount Chief, who had been appointed by the Government over four previously independent chiefdoms after 1898, created the opportune moment to dissolve the unwieldy and, by his implication, unjust union and elect four separate Paramount Chiefs. His investigations had revealed that:

"On the suppression of 1898 Brima Sanda, who as Santiggi Dura had previously--as it now appears--been a dependent ruler and not a member of a truly royal house, was appointed by the Governor to collect tax of these four chiefdoms (Sanda Lokko, Sanda Chainrarain, Sanda Robunko, and Sanda Mabolunto), with the aid of an escort of Frontier Police. He was chosen as regent owing to his unswerving loyalty to the Government during 1898; he was

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56. S. L. A. 1346 1902; S. L. A. 993 1904 13 January 1905  
D. C. Anderson Panguma

57. S. L. A. 479 1901 22 January D. C. Fairtlough Ronietta

afterward appointed Paramount Chief, partly in recognition of this fact and partly due to the fact that the people of the country were not wholly agreed on the election of anyone else. Their unanimity was confined to their unwillingness to elect him, due to his lack of royal birth."<sup>58</sup>

Warren stressed the implied non-acceptance of the people of Brima Sanda by noting that although Brima Sanda was a reigning Paramount Chief at the time of his death he was not buried in the ground set apart by custom for the interment of the chiefs of Sanda.<sup>59</sup>

For such a case as the one cited above, the question must be raised to what extent Brima Sanda had been able during his sixteen-year term to exert the authority the Government expected of its Paramount Chiefs. The absence in the records of any outward resistance to his rule can by no means be accepted as meaning that he was the locus of power in the chiefdom. Neither can it be assumed that he was able to use any influence on behalf of the Government beyond such basic requirements as tax payment and labour recruitment.

The absence of early records was not the sole impediment to making acceptable boundaries. Part of the procedural difficulties already discussed were related to the critical one of discerning the wishes of the people. Reports of boundary investigations often show the district officer making what he believed was a popular decision only to record not long after the grievances

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58. S. L. A. D. C. Karene #90 1914 11 September Warren

59. Ibid.



of a segment of the population whose opinions had not been polled.

The pattern of shifting allegiances among the Safroko Limba in the days before the Protectorate did not commend itself to a fixed administration. As a result, colonial administrators either ignored the wishes of the people or found them difficult to assess. According to the "Precis of Events in the Safroko Limba Chiefdom," written by a District Commissioner of the area, the people originally were under a number of practically independent headmen.<sup>60</sup> From this account as well as archival material<sup>61</sup> it would appear that at the time of the 1898 Rebellion the people in this chiefdom were, to a certain extent, under the influences of both Massa Paki of Mapaki and Suluku of Biriwa Limba. Hollins' contention that the movement to include the chiefdom in Biriwa Limba, exempt from paying the tax in 1898 by virtue of being in the Koinadugu District, was supported by the people does not seem unreasonable. The records reveal that it was placed in the Karene District by Captain Sharpe who was 'apparently influenced by the desire to make a convenient geographical boundary and overlooked the very decided wishes of the people.'<sup>62</sup>

After extensive enquiry in 1901 it was decided that the Safroko Limbas were not properly subject to the District Commissioner of Karene, as they

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60. Hollins, N. C. "Precis of Events in the Safroko Limba Chiefdom" *Sierra Leone Studies* VII July 1925 p. 35

61. P.R.O. 267/459 28 August 1901 #293 King-Harmon-Chamberlain; S. L. A. C46 1904 10 April Acting D. C. Berney Koinadugu

62. P.R.O. 267/459 28 August 1901 #293 King-Harmon-Chamberlain

purportedly recognised Suluku as their rightful head. Accordingly the chiefdom was transferred to the Koinadugu District and joined with the Biriwa Limba under Suluku of Bumban.<sup>63</sup>

In 1904 an unseasoned and impulsive Lieutenant of the Frontier Force acting as a district administrator reported 'an open state of rebellion' against the tax collection in the Safroko country.<sup>64</sup> Lt. Bayley's alarmist tendencies were compounded by the want of judgement of the Acting District Commissioner. Berney dispatched a full company of Frontiers to rescue Bayley whose attempts to arrest one of the ringleaders had failed as the chief had been 'surrounded by three or four hundred armed natives.' By dint of luck and the timely intervention of first Oswald from the Karene District, and then Dr. Maxwell sent to take charge of Koinadugu, actual open rebellion was averted and the roots of the problem uncovered.

It became apparent to these more experienced administrative officers that the resistance to the tax was merely the outward expression of a certain undercurrent of dissatisfaction in some parts of Safroko Limba country.<sup>65</sup> It was noted that although the people recognised and obeyed Suluku they jealously differentiated their country from that of the Biriwa Limbas, a distinction the Government did not make in terms of even allowing some of the

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63. Ibid.

64. S. L. A. C46 1904 10 April Acting D. C. Berney Koinadugu  
9 April report

65. S. L. A. C46 1904 10 April Acting D. C. Berney Koinadugu 14 April  
Acting D. C. Oswald Karene; 4 June D. C. Maxwell Koinadugu

headmen of Safroko Limba to be appointed sub-chiefs.

The precarious union between the two chiefdoms was maintained throughout the remaining three years of Suluku's life, more out of a sense of discipline for the rebellious than of respect for Suluku. The recurring minor disturbances and reports of discontent among the Safroko Limba during this period indicate that the determination of the Government that Safroko Limba stay with the Paramount Chief they allegedly chose did little to further the cause of peace and stable administration in the Protectorate.

Whereas colonial administrators appear to have been sincere in their belief that the 1901 arrangement made for the Safroko Limba to adjust the 1898 determination of their chiefdom was a permanent one popularly supported, they had no such confidence about the cohesion of Madam Yoko's Gpa Mendi chiefdom upon her demise. This vast chiefdom owed itself to a variety of factors including her acquisitive instincts reinforced by the Government support she enjoyed. As a consequence, many surrounding areas found themselves, voluntarily or otherwise, under her protection during the wars which preceded the establishment of the Protectorate and during the 1898 Rebellion. Indeed, the basis of all boundary problems along the Ronietta-Panguma border was identified as being the ascendancy of Madam Yoko over various chiefdoms as a result of her tacitly assuming control when their chiefs had fallen into trouble with the Government.<sup>66</sup>

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66. S. L. A. 1346 1902 30 December Acting D. C. Hood re: Ronietta

As early as 1898 the Government had established the precedent that headmen and chief rulers did not have the right to secede from a chiefdom when their predecessors had voluntarily attached themselves to it.<sup>67</sup> Progressively with the increasing number of attempts on the part of supposedly subordinate rulers to break away from Madam Yoko after the turn of the century, Government officials began to question the wisdom of adhering to this policy in these cases. Although they continued to maintain the policy, no administrator expressed any hope for the retention of the Gpa Mendi chiefdom in its considerable form under her successor.

When Madam Yoko's brother Lamboi, succeeded, Probyn tried to bring about the breakup of the chiefdom and 'to the surprise of all the whole country insisted the chiefdom be left intact.'<sup>68</sup> Throughout Lamboi's rule there were none of the persistent claims to independence which had accompanied his sister's reign. Indeed, despite his 'weakening power, paralysis and no fitting successor' Lamboi's efforts to reorganize the chiefdom for separation were not met with enthusiasm or cooperation from the twelve component parts.<sup>69</sup>

The continued cohesion of the Gpa Mendi chiefdom contrasts with the

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- 67. S. L. A. 4365 1907 29 October D. C. Fairtlough Ronietta review of policy on:
  - 68. S. L. A. 2109 1909 19 June Govr. Probyn
  - 69. P. R. O. 267/531 5 May 1911 #238 Probyn-Bonar-Law; P. R. O. 267/564 23 February 1915 #89 Merewether-Harcourt Page Ronietta report

experience of other amalgamated chiefdoms, and highlights the fact that the allegiances of the people to physical chiefdom units and independent lines of succession in the hinterland at the time of the Protectorate differed greatly. It is argumentative whether or not the restoration of such boundaries after so many years was of very great importance to the people concerned. In the intervening years the attachment to the chiefdom configuration arrived at by investigating officials might be far less than to the unit in which they were presently living.

There are other implications of the adjustments made in chiefdoms and chieftaincies as a result of post-Rebellion claims beside the possibility of being an inaccurate or irrelevant decision. It is not unlikely that opportunists took advantage of the wave of realterations in the early years of the century and succeeded in establishing themselves in independent units which lacked traditional basis and any administrative justification beyond the recognition of a presumably valid claim.

In such cases it would be difficult for district officers to unravel the facts from the fiction to arrive at the truth of subsequent petitions against such independent rulers. Furthermore, colonial administrators showed, in many cases, an understandable skepticism of claims for chieftaincy and chiefdom alterations brought before them after many years. The suspicion of district officers that their lack of familiarity with a new district was being taken advantage of no doubt coloured their objectivity and was responsible,

in large part, for the prejudice against the petitioner which shows clearly in the reports of many such cases. The reluctance to re-open, let alone reverse, the decision of a predecessor was as much to maintain the integrity of administrative officials as a whole as to prevent the district officer in question from being inundated with appeals. In either case, the burden of proof lay more heavily on the claimant than in claims which had not lain dormant for so long.

Although the vast majority of the numerous chiefdom boundary cases the first 25 years of the Protectorate Administration occurred in the early years of British rule, it would be a mistake to attribute this phenomenon exclusively to the disruptive effects of the 1898 Rebellion. The fixing of permanent lines between chiefdoms which had previously been of a different configuration no less than of those whose borders had been dynamic contributed to petitions for boundary adjustments. In addition there may have been disputes which dated from the establishment of the Protectorate or before but had not been resolved prior to the outbreak of war.

The incidence of early claims deriving from alterations made in 1898 also coincided with the boundary delineations necessitated by the 1901 Order-in-Council fixing Protectorate district boundaries. The impact of this action is evidenced by the complaints brought before King-Harmon on his tours of the Protectorate during that year, the grievances and claims filed, and the reports of disputes handled by the District Commissioners.



Throughout the years under review chieftdom disputes abounded for reasons based on procedural and pragmatic factors. The absence for many years of a clear cut formula to be used in boundary investigations has been discussed. The desire for a 'just verdict' or to arrive at the truth of these matters is relative when it is recalled that in many places where the British administrators were looking for something definite to put on their maps and tax rolls there had been no constant, fixed boundary.

Although headmen would know the areas under their jurisdictions, they themselves may have been either independent or under different rulers at different times, as conditions had changed. The unswerving loyalty to a single ruler of paramountcy which the Government wanted to exist for their administrative convenience had not prevailed among the peoples of the Sierra Leone hinterland.

The Government sought the determination of boundaries to remove sources of friction and dispute, as well as to facilitate tax collection in particular and administration in general. The criteria of peace and payment of the tax especially dominated the years immediately following 1898. These two objectives were by no means compatible. The very act of fixing the boundaries aggravated old conflicts and created new ones. Furthermore, tranquil conditions were unlikely in those chieftdoms which were adjusted by decisions of 'tax collection convenience.' It took thirteen years of ignored complaints before 32 towns in Karene and another 4 in the Railway District

succeeded in being restored to their rightful chiefdoms.<sup>70</sup>

However much these particular areas did not show their discontent in overt forms of resistance, it cannot be expected that the position of the chief in the assigned chiefdoms was enhanced. Although the 'constant friction' between the 32 towns and the successive Paramount Chiefs of Upper Lokko East III was not detailed,<sup>71</sup> it can be imagined that at least part of the difficulty would stem from 'belonging to' and giving labour to the chief of traditional allegiance, and the tax and nominal recognition to the one assigned by the Government.

Such were the distinctions made by the 'embittered' people of the border towns of Gotohun, Julian, Deegah and Tungea between the Dodo and Lepiama chiefdoms of the Railway District. So separated from Leppiama in 1902, the inhabitants of these towns succeeded in having the issue looked into in 1905 and again in 1911. Both times the administrators were 'unwilling to make changes in the decision of a predecessor.'<sup>72</sup> The credibility of Anderson, the District Commissioner who originally made the arrangement, had been severely questioned by both Probyn and Maxwell, but their doubts were not in this case applied to the decision he had made.

Hindsight is perhaps more dangerously applied to the judgement of

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70. S. L. A. D. C. Karene #41 1913 25 March Addison (Acting);  
 S. L. A. D. C. Railway #68 1913 27 June LeMesurier (Acting)  
 71. S. L. A. D. C. Karene #41 1913 25 March Addison (Acting)  
 72. S. L. A. D. C. Railway #68 1913 27 June LeMesurier (Acting)

decisions made in disputed boundaries than in any other type of issue dealt with by colonial administrators. Not only does the present-day critic lack complete records in many cases, but also the advantage of being able to see the locales in question. Furthermore, not a few district officers realised that allegiances to chiefdoms were not always of great depth and duration, and thus felt that administrative considerations could be given priority.

The greatest single category of complaints facing district officers were these sensitive and potentially explosive boundary questions. On the whole, they were handled as fairly and thoroughly as the enumerated difficulties and the demands on the Government officials permitted.

#### Alterations in the System of Administration

If many of the people of the Protectorate had previously little or no exposure to Europeans or the military might of the British Government, the three columns which traversed the length and breadth of the Protectorate during the end of 1898 and the early months of 1899 corrected that fault. What was officially described as a small expeditionary force covered 2,629 miles 'to re-establish British authority and prestige in remoter parts of the Protectorate.'<sup>73</sup> It can be imagined that the 995 troops under the command of 56 officers and accompanied by 4,295 carriers<sup>74</sup> succeeded in these objectives.

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73. Parliamentary Papers 1899 LXII Sierra Leone Government Report for 1898 No. 273 p. 541

74. Fyfe, History ... op. cit. p. 591

In addition to subduing the populace they mapped many parts of the Protectorate which had previously been unfamiliar. These efforts contributed greatly to the boundary alterations and determinations already discussed. A further physical change in the Protectorate districts was the transfer in 1901 of three of the five Headquarters. Batkanu became the new district Headquarters of Karene, while Kabala and Moyamba became the administrative centres of the Koinadugu and Ronietta Districts, respectively.

Whether in response to complaints registered against the system of rule provided for by the Protectorate Ordinance #20 of 1896, internal re-assessment, or in compliance with Colonial Office directives, the fact remains that the Sierra Leone Government made most of the major changes in the Protectorate Administration in the revised Protectorate Ordinance, #11 of 1897. Scrutiny of the Protectorate Ordinances of 1896, 1897 and 1901 reveals that although substantial differences in the tax and judicial systems exist between the two former versions, few innovations are to be found in the latter.<sup>75</sup> The Protectorate Ordinance of 1901, #33, appears as a composite of its predecessors and of those laws which were enacted to contend with immediate situations which the Rebellion had created.

Practical considerations of control and prevention of similar incidents had been incorporated into legislation in 1899 making it an offence to make war against Her Majesty, build war fences, stockades or other defensive

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75. See subsequent chapters for particulars on the tax and court systems.

structures; and which created the post of Assistant District Commissioner to augment existing staff in the Protectorate.<sup>76</sup> The Assistant District Commissioner was originally to be 'a temporary appointment of assistance' but grew over the years along with the size and complexity of the administration.

From the original five posts in 1900--of which four were vacant until mid-1901--the number of Assistant District Commissioners increased to a dozen in 1909. Posts which fell empty were not always filled as soon as the Sierra Leone Government would have liked, but the activities of the unlawful societies in 1912 prompted the rapid filling of six vacancies in the course of a few months. As a result the Assistant District Commissioners in 1913 numbered sixteen, the peak number during the years under consideration. Two of the sixteen were 'native Assistant District Commissioners,' a phenomenon already discussed.

During the first quarter of the 20th century the function of the Government in the Sierra Leone Protectorate changed gradually from its initial concern with securing peace and introducing law and order, to a wider scope of interests and undertakings. As involvement in or encouragement of transportation, agricultural, sanitation schemes and the like increased, so did the size and diversification of the staff.

The Department of Public Works, which for a time had been responsible for the transportation facilities in the Protectorate, was superseded

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76. Ordinances #6 and #24 of 1899, respectively

first by the Railway Department, and in 1905 by the Department of Protectorate Roads. The latter department especially had an increasing staff of Europeans and Africans as more and more feeder roads to the Railway were constructed. The first main group was built between 1905 and 1911, and the second surge of road-building activity commenced in 1917.

By 1911 there was a Forestry Officer in the Department of Agriculture which itself had been restructured that year, partly to accommodate the greater undertakings of Agricultural staff in the supervision of experimental farms and other projects in the Protectorate. A Senior Sanitary Officer was at this time still shared with the rest of British West Africa, but his staff was no longer under the jurisdiction of the Principal Medical Officer.

With the legislation providing for the establishment of sanitary districts and the introduction of public health regulations, and the creation and maintenance of forest reserves and restricted areas,<sup>77</sup> the Protectorate staffs of the two respective departments grew steadily until the War, and thereafter for the remaining years under review.

The European staff in the Protectorate by 1924 included three Provincial and thirteen District Commissioners; an Assistant Conservator of Forests and an expert Agricultural Officer in each Province; a collection of medical, public health and education staff permanently attached to the Pro-

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77. Public Health Ordinance #10 1915 of 26 May; Public Health Rules gazetted 17 July 1915; Forestry Ordinance #8 1912 of 2 August; subsequent Governor's Orders and Orders-in-Council



tectorate and additional ones who--like such agricultural experts as the botanists, soil specialists and entomologist--spent much of their tour working in the Protectorate.

The necessity for additional personnel to restore and maintain order and British rule after the 1898 Rebellion is reflected not only in the creation of the post of the Assistant District Commissioner but also in the alterations and expansion of the non-European District staffs and forces of the Frontier Police and Court Messengers.

#### Frontier Police, Frontier Force, and Court Messengers

However valid the complaints against the Frontier Police prior to the 1898 Rebellion may or may not have been, there was no disagreement that the abuses and misconduct of the Frontiers in the collection of the tax figured prominently in the Risings.

Despite the recommendations of Chalmers and Chamberlain, Cardew did not undertake any reorganization or reduction of the Frontier Police. However, within months of his appointment in December 1900, the new Governor, Sir Charles Anthony King-Harmon, had introduced the matter to the Secretary of State. Acting on the assessment and recommendations of Warren, then Acting Inspector General of the Frontier Police, he instituted a revision of the Force by which small outstations run by 'illiterate NCOs' were closed down and the Force concentrated at district Headquarters where they would be under direct supervision of European officers. Under the new

system patrols would only be made under European officers.<sup>78</sup> At the same time King-Harmon altered the system of Court Messengers who until then had been essentially errand boys.

Stationing Frontier Police alongside Court Messengers at district headquarters created a duplication of effort in many of the non-military responsibilities of the Frontiers. King-Harmon proposed to remove all civil administrative jobs from the Police, making it a purely military body which would hopefully be better trained and more efficient.<sup>79</sup>

The duties and the numbers of the Court Messengers were greatly increased as a result of these proposals, and of usage and expansion over the years. In 1900 there were 10 in each of the five districts. By 1903 their numbers had swollen to 136, ranging from 22 in Koinadugu to 34 in Karene. Distribution among the districts fluctuated according to local needs but the total complement of Court Messengers increased steadily. The force of 158 Messengers which existed by the end of 1907 after the revision of the recruitment system doubled by 1924.

Insistence on the 1901 revisions despite the Colonial Office's unenthusiastic reaction, and rapid consolidation of the new systems, were no

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78. P.R.O. 267/457 1 February 1901 #33 King-Harmon-Chamberlain  
 79. P.R.O. 267/458 17 July 1901 #248 King-Harmon-Chamberlain;  
 P.R.O. 267/459 4 September 1901 #304 King-Harmon-Chamberlain;  
 P.R.O. 267/459 18 October 1901 #348 King-Harmon-Chamberlain

doubt due to the findings of investigations throughout 1901 into alleged interference in 'native affairs' and abuses suffered by inhabitants of the Protectorate at the hands of the Frontiers.<sup>80</sup> King-Harmon showed at this early stage of his term the good judgement and reliance on experienced staff that were to characterise his administration. The assurances of an Acting District Commissioner of three months duration, on loan from the Frontier Police, that 'neither Court Messengers nor Frontier Police were given any opportunity of abusing their powers, where preventable'<sup>81</sup> were overridden by the far less encouraging but more realistic statements of more experienced officials. Fairtlough, one of the pioneer District Commissioners and himself a former Frontier Officer, warned of the difficulty in obtaining evidence for charges resulting from the fear of reporting against (Frontiers) 'who were a permanency in the district while the white officers were not.'<sup>82</sup>

It is reassuring to find that not all such novice political officers from the ranks of the Frontiers showed the same blind spots in assessing the fallibility of their men. Lt. Greaves, who succeeded Eames as Acting District Commissioner in Panguma, transferred the case in question to an unbiased

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80. S. L. A. 2124 1901 8 May Govr. King-Harmon re: Suluku of Bumban; S. L. A. 334 1901 31 January J. R. Mannah (later Paramount Chief Mannah-Kpaka) n'Jala; S. L. A. 479 1901 22 January D. C. Fairtlough Ronietta; S. L. A. 4817 1901 14 October Acting D. C. Greaves Panguma; S. L. A. 273 1901 14 January Govr. King-Harmon
81. S. L. A. 334 1901 31 January J. R. Mannah 8 February Acting D. C. Eames Panguma
82. S. L. A. 479 1901 22 January D. C. Fairtlough Ronietta

authority who found the charges against the Frontiers based largely on faulty orders and supervision by the commanding officers.<sup>83</sup>

After 1901 the Frontier Police, re-organised as the Sierra Leone Battalion of the West African Frontier Force,<sup>84</sup> receded into the background. As a supervised military force it was employed in the Protectorate by District Commissioners to enforce a disobeyed order or as a show of force, and in other parts of British West Africa when required. It was an anathema to various administrators that the West African Regiment posted in Sierra Leone was regarded as 'an Imperial force for the defence of the Colony' and not available for internal use or 'regular emergencies.' Both Probyn and Fairtlough at various times sought the disbandment of the West African Frontier Force and the hiring of the West African Regiment to assume the duties of the Frontiers.

The duties of the Court Messengers varied greatly. Their responsibilities to the District Commissioners and Circuit Courts included assisting the warders in looking after prisoners and escorting prisoners being transferred. They also acted as bailiffs, served writs and summonses, and issued warrants. Police work of Court Messengers included bringing to the attention of the District Commissioner any breaches of the law which were noticed only when, theoretically, travelling on duty; and maintaining order

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83. S. L. A. 4816 1901 14 October Acting D. C. Greaves, Panguma

84. Ordinance #22 of 1901 18 May

until the District Commissioner could reach the scene of the alleged crime. The delineation of duties which Probyn used as ammunition to win from Lyttleton increases in the number of Messengers and changes in their recruitment and salary systems described the necessity of having six Messengers for each of the District Commissioners and Assistant District Commissioners to provide 'an escort to maintain the dignity of the Officer and to act as reliable messengers.'<sup>85</sup>

On the 27th of November 1907, Ordinance #31 1907 went into effect and incorporated the efforts of almost three years of researches among the district officers and negotiations with the Colonial Office on the part of Probyn. Under the new recruitment system every Court Messenger was required to be the nominee of a Paramount Chief, the District Commissioner selecting the best men from among the candidates. Additional changes were made in the wage and pension systems in the hope that such incentives would ensure getting intelligent and reliable recruits of respectable families who were otherwise joining the more financially-rewarding Frontier Force.<sup>86</sup>

Much of Probyn's sales-pitch to Lord Elgin was that these reforms were necessary to obtain recruits with sufficient intelligence to learn English,

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85. P. R. O. 267/477 24 May 1905 c. Probyn-Lyttleton; also P. R. O. 267/476 22 March 1907 #31 O. A. G. Haddon-Smith-Elgin; P. R. O. 267/540 17 May 1912 #210 Merewether-Bonar-Law Warren Karene report; P. R. O. 267/574 24 January 1917 c. Wilkinson-Long enclosures and minutes on:

86. P. R. O. 267/484 30 May 1906 c. Probyn-Elgin

which was critical for the job. It was understandable that the district reports of the years immediately following the introduction of the new system refer to the inability of the Messengers to write or read, and in some cases comprehend, English. However the habitual use of Court Messengers to double as interpreters continued to be problematical owing to what were considered the deficiencies in the mental capacities as well as the linguistic abilities of the Messengers.

Addison, renown for being the champion of the underdog and the proponent of schemes which depended on the resources of the indigenous population, was particularly outspoken against having to call upon Court Messengers to translate to someone who then translated to the tribe. He felt that this lengthy process was beset with dangers to the administration for several reasons. None the least of these reasons was that few Court Messengers had the intelligence and the knowledge of English to avoid misinterpretation of orders.<sup>87</sup>

It is appropriate to consider the role of the interpreter in the administration of the Protectorate in this context as well as that of the courts. From the establishment of the Protectorate, each District Commissioner was provided with an interpreter on his staff. However, many districts contained more languages than were known to the interpreter, with the result that district administrators often had to rely on Court Messengers or even non-

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87. S. L. A. D. C. Karene #39 1913 28 March Addison (Acting)



Government individuals. Furthermore, as was often the case, the position of interpreter would become vacant, leaving the translation and transmission of orders until a replacement arrived to people not qualified and not always without advantages to be gained by misrepresenting the directives of the Government.

It must be acknowledged that the interpreters themselves were by no means above deliberate bias or accidental misrepresentation, with the same consequences as when the offence or error was committed by a Court Messenger or local trader. Equally serious as the possibility of orders and ordinances being misunderstood was the inability of District Commissioners to know what was happening behind the scenes when the interpreter was biased.<sup>88</sup>

The merits of the system of recruitment of Messengers through Paramount Chiefs was a point of continual controversy among colonial administrators in Sierra Leone throughout the years under review. Every District Commissioner, when queried by Probyn in 1905, had cited potential defects and had expressed opinions ranging from skepticism to outright opposition.<sup>89</sup> It was feared that this method of recruitment would be more open to corruption and abuse than random selection or appointment from the ranks of the Frontier Force. Among the variety of reasons included was that candidates might re-

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88. S. L. A. C201 1913 14 October Acting D. C. LeMesurier Railway

89. S. L. A. 418 1905 23 January Govr. Probyn

sort to bribery to obtain nomination and chiefs to coercion to guarantee loyalty.<sup>90</sup>

The aspects of the system most lauded by its advocates--the close liaison with the chiefs and the assurance of having recruits of prominent families with standing in the country--were in fact at the root of the corruption and undue influence which were found to exist time and time again. Certainly it does not stretch the imagination to believe that these Messengers were able in the course of their unsupervised duties to combine to their own advantage the authority bestowed on them by the uniform of a Government official with their local standing and support of the chief.

The numerous alleged Human Leopard murders of 1912 gave rise to accusations that the greatest fears of the District Commissioners in 1905 had been realised. Throughout the districts plagued by these cases came charges that Court Messengers were either playing into the hands of the Paramount Chiefs or conspiring with them to mislead the District Commissioners. Fairtlough was convinced that any chief involved with the Leopard Society would make certain that either a fellow 'Leopard' or someone sympathetic to the activities of the Society be chosen as Court Messengers.<sup>91</sup>

The recommendations made by Fairtlough at this time were in effect to revert to the system of 1896 of an armed constabulary taking the place of

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90. S. L. A. 418 1905 23 January Govr. Probyn D. C. enclosures  
 91. P. R. O. 267/551 17 September 1913 c. Merewether-Long  
 Fairtlough enclosure

the Frontier Force and of the Court Messengers' police duties. Although such a reactionary suggestion was not adopted, it did serve to reveal dramatically the defects in the existing system and to achieve some reform in the selection methods. From that time forth district officers were allowed the local option of recruiting from other branches of His Majesty's Service if the nominees of chiefs were not deemed reliable.<sup>92</sup>

Despite periodic reforms and re-organisation instituted in the years to come, complaints and charges of intimidation and undue influence of the Frontiers and Messengers persisted. The direct relationship between the responsibilities of a corps of non-Europeans and the frequency of complaints filed against them was not coincidental. When the civil administrative jobs of the Frontier Police were transferred to the Court Messengers, who were then required to venture out unsupervised from the district headquarters, the charges of extortion and intimidation likewise shifted.

The system of administration in the Sierra Leone Protectorate, with its minimal European staff, was virtually at the mercy of the groups considered above. The Court Messengers were the eyes and ears, the interpreters the mouth, the Frontiers the fists of the Protectorate administrators. It cannot be denied that the Court Messengers and Interpreters, in particular, were known to mislead district officers and to misrepresent facts when

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92. P.R.O. 267/560 16 October 1914 #561 Merewether-Long  
Fairtlough N. Sherbro report

they stood to gain pecuniary or political advantage by so doing. However, this would appear to be an unavoidable evil in a system with such weak links in the chain of command as language dependency on a staff which was largely unsupervised in the execution of its considerable responsibilities.

The indictments of the Court Messengers and Frontier Forces were almost always aimed at abuses committed while not under European supervision. Few administrators would go as far as Shorunkeh-Sawyerr's scathing evaluation:

"Court Messengers and Government Interpreters appear to be the bane of healthy administration. Generally may be a useful body of men when under efficient control, but what are proclivities and actions without control? Most of them are men of no character, born with objectionable tendencies, and hailing from the dregs of the population."<sup>93</sup>

Most would agree with the opinion of Dr. Maxwell that the reliability of these forces as of 'the police forces in civilized countries' was in direct proportion to the strictness of the discipline and the temptations to which they were exposed.<sup>94</sup> Such an observation is equally applicable in this day and age.

Reliance on the initiative and discretion of European officers was fundamental to the system of colonial rule but was nowhere more risky than in the areas where judgement of character and human nature, and delegation

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93. P. R. O. 267/574 24 January 1917 c. Wilkinson-Long 17 January Shorunkeh-Sawyerr enclosure

94. P. R. O. 267/574 24 January 1917 c. Wilkinson-Long Maxwell enclosure

of authority, were concerned.

As long as philosophical and pragmatic considerations kept the European administrative staff in the Protectorate at a minimum, and non-European personnel with scant training and education, it could be expected that abuses would occur. The Court Messengers, Interpreters, and members of the Frontier Force all, to varying extents, were dispatched to carry out assignments which were likely to be unpopular with the indigenous population. These Government officials were thus placed in compromising situations as they were not only subject to bribes to, for example, ignore testimonies of chiefly oppression, but also in many cases liable to actively seek to exploit their position. The continuation throughout the years under review of such interference and extortion, no matter how 'understandable' to students of human nature, did little to commend the Protectorate Government to the inhabitants who suffered and knew only that their oppressors wore Government uniforms.

#### Protectorate Administrators and the Protected Peoples

It is more difficult to determine the attitude of the indigenous population during the years following the 1898 Rebellion than the underlying tone of the British colonial administrators.

The subject matter and tone of Governors' dispatches to the Secretary of State for the Colonies, let alone of local minute papers, in the first years of King-Harmon's administration contrasts markedly with that of the last two years of Cardew's. Cardew's waning health and spirit, and his desire to

exonerate himself from the blame for the Rebellion may have coloured his appraisal of conditions in the Protectorate during 1899 and 1900. Another explanation for the discrepancy between Cardew's assurances that peace prevailed and King-Harmon's skepticism<sup>95</sup> could be that the newly-arrived Governor had of inclination and necessity to rely on the opinions of others. The extent to which he paid heed to the reports from traders in particular, and Sierra Leoneans and Europeans in the Protectorate in general, would affect his assessment of the state of affairs in the Protectorate. Events, and the records, had shown these groups to be alarmist, albeit understandably in light of their losses in the Mende Uprising, and consequently given to spreading rumours.

However much the new Governor came to modify his original impressions he was never so naive as to take the chiefs' protestations of loyalty at face value. King-Harmon maintained a healthy skepticism of their sincerity and the nature of their secret feelings; and a realistic distinction between loyalty, and gratitude for particular blessings of British rule.<sup>96</sup>

The documented concern over reports of unrest and threatened risings--both the investigation into the possibility of their veracity and the discussion of means to contend with the sources of such rumours--reflects

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95. P.R.O. 267/457 14 January 1901 c.5 King-Harmon-Chamberlain discussing Cardew interview in London's Daily Mail

96. P.R.O. 267/462 29 January 1902 #25 King-Harmon-Chamberlain;  
P.R.O. 267/468 16 April 1903 #83 King-Harmon-Chamberlain



the alertness and lack of complacency which distinguished the Government after 1898 from that of before. Certainly King-Harmon could not be faulted, as Cardew, for ignoring reports of disturbances. If he erred on the side of indiscriminately dispatching troops or District Commissioners to alleged scenes of unrest such a wariness could only be deemed understandable and commendable.

In addition to the tone of caution and vigilance in the investigation of reported unrest there is considerable evidence of patient explanation, and in some cases introduction, of the Protectorate Administration and the tax to the indigenous population.

The trek of the West African Regiment in 1898-1899 was but the first in a series of tours by Governors, periodic excursions of Frontiers, and, as frequently as possible, patrols of District Commissioners. These expeditions were considered essential for the re-establishment of British rule not only by making the presence of the Government known but also by being available to explain any such confusing aspects of the administration as the fact that the death of the Queen and the departure of Cardew did not signal the end of the hut tax.<sup>97</sup>

The tours were useful in allaying the fears and suspicions of others than the Protectorate inhabitants. Reports thereof were printed for Parliament to:

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97. P. R. O. 267/458 1 May 1901 #140 King-Harman-Chamberlain

"... prevent the circulation of misleading accounts of what the Government is doing ... and to show that the Government is much more in touch with native chiefs and people of the Protectorate and understands them better than those in this (Britain) country who profess to be their friends but are mainly inspired by the semi-educated natives of the coast."<sup>98</sup>

Resistance to payment of the hut tax was regarded by colonial administrators as a matter of grave importance not only for fiscal reasons. Such actions also were often rightly considered as reaction against British rule in general, or a particular aspect thereof. A distinction must be made between the refusal of the people to pay tax to their rulers, and their rulers' failure to pay the Government.

A further distinction must be made to allow for ignorance of the tax and its collection procedures. However, it is unlikely that this cause applied to very many cases of non-payment of the tax. It would be more relevant to the instances of over- and under-assessment which will be examined in the following chapter.

Although King-Harmon charitably allowed for the trouble given by the Sella Limbas in Kamakwea in the tax collection as being due to their limited contact with the protecting Government,<sup>99</sup> it is interesting to note that other similarly remote areas were credited with rapid and unresisting payment.<sup>100</sup> The Governor's concession was despite the fact of economic hardship found

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98. P. R. O. 267/459 9 October 1901 c. 32 King-Harmon-Chamberlain Antrobus minute

99. P. R. O. 267/462 29 January 1901 #25 King-Harmon-Chamberlain

100. Ibid.

to prevail in many of the areas he visited in the Koinadugu District. This state of affairs had been caused first by the effects of Samory's raids and then of the French embargo on trade crossing the frontier.<sup>101</sup>

Neither Berney nor Warren found that the chiefs' limited understanding of the tax, their powers and obligations, as a result of isolation from the mainstream of Protectorate rule, affected their payment of the tax.<sup>102</sup> Indeed simple equations between payment and comprehension or even loyalty and comprehension cannot be made. The people of Upper and Lower Soa country in Panguma professed both their loyalty and their confusion as to why they had to pay a tax.<sup>103</sup>

It can be expected that collection and payment of the tax in not just a few cases was motivated by nothing greater than fear of reprisal for failing to do so. The statement that "the people objected among themselves but old men persuaded them saying the white man has come now, he's burnt out towns, he's shot and put in jail all our big men we must agree to what he says" would apply equally well to the tax as to the election dispute in which it was made.<sup>104</sup>

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101. See Howard, Allen Big Men, Traders, and Chiefs: Power, Commerce, and Spatial Change in the Sierra Leone-Guinea Plain, 1865-95 (PhD. University of Wisconsin, 1972)
102. S. L. A. 3354 1902 18 August Acting D. C. Berney Koinadugu;  
S. L. A. 3488 1902 6 August Acting D. C. Berney Koinadugu;  
P. R. O. 267/475 18 January 1905 #28 D. C. Warren Koinadugu
103. S. L. A. 1713 1901 5 April Acting D. C. Greaves Panguma
104. S. L. A. 1172 1905 2 March D. C. Anderson Panguma

Cases of tax non-payment as outright resistance to British administration were few and limited to the first few years after 1898. King-Harmon observed during his tour of Karene in 1901 that the people in some areas were being incited to open rebellion by chiefs and headmen.<sup>105</sup> Bai Sebura of Bombali II was one ruler who was imprisoned for trying to organize resistance to the tax.<sup>106</sup> Thereafter the reluctance or failure to pay tax was expressed in a variety of forms and for different reasons but not as active revolt against the Government.

It was not unusual for the subjects of an unpopular chief to use these means to express a 'vote of no confidence' in their ruler and/or to draw the Government's attention to unsatisfactory conditions in a locality. However it would be a mistake to construe all acts of tax dislocation as being a reaction against chiefs who were closely allied with or owed their positions to the Government. It would be equally the case that the inhabitants of a chiefdom would use refusal to pay the tax as a 'modern' means of opposition to an oppressive chief against whom in earlier times more violent methods might have been employed.

The tax not being brought in in part of the Safroko Limba chiefdom has been seen as but a symptom of underlying dissatisfaction with situations in the chiefdom. Although actual bloodshed was narrowly averted in that

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105. P. R. O. 267/458 1 May 1901 #140 King-Harmon-Chamberlain

106. S. L. A. C37 1913 3 April 1912 D. C. Warren Karene

case, similar hasty action and poor judgement of political and military officers could be considered significant factors in the killing of ten 'natives' and the burning of a town in the Sandoh (Sanda) chiefdom of Konnoh country.

Since 1907 'tribal' dissension had been reported in this area. The same quality characterized the differing opinions of the Railway District administrators, for Dr. Maxwell did not agree with Captain LeMesurier's contention that there was serious unrest among the people.<sup>107</sup> In this instance the military view prevailed, no doubt as Probyn was receiving 'numerous rumours' from other parts of the Protectorate 'similar as to the Mende raid.'<sup>108</sup> As a result a company of the West African Frontier Force, armed for war, was sent to patrol the Railway-Central District border and thus convey confidence. It can be seriously doubted that such a convoy, purportedly going to inspect a new site, would accomplish its objective of restoring confidence in the Government which was erroneously equated with restoring settled conditions and consequently trade. Maxwell did not at this time come to consider the situation as being as serious as did Probyn. The Governor, in his polling of District Commissioners as to conditions in their areas and in his instructions to the Commanding Officer of the Frontier Force, urged that 'the utmost secrecy and care be used as if a rising were imminent.'<sup>109</sup>

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107. S. L. A. C184 1907 25 December Officer Commanding the West African Frontier Forces LeMesurier; 25 December D. C. Maxwell Railway  
 108. P. R. O. 267/498 24 December 1907 c. Probyn-Elgin  
 109. Ibid.

The District Commissioner of Karene diagnosed the problem in the Konnoh country simply as deriving from the time when Nyagua's area was divided and the new Paramount Chiefs were not unanimously elected and from the fact of attempts to discredit them.<sup>110</sup>

Such an understanding of the background to unsettled conditions in the Sandoh chiefdom was not apparent in the handling of the non-payment of the tax which occurred at the end of 1912. Sixty of 118 headmen refused to bring the tax first to Acting Chief Sonsiama, who was Regent for his father Fa Suluku, and then to Maxwell. The Frontiers who then were sent to collect the tax and arrest the ringleaders met with resistance and 'were obliged to fire.'<sup>111</sup> Following on this incident where ten 'natives' were killed and the village of Tayia burned by the Assistant District Commissioner, N. G. Frere, an additional half company of Frontiers were diverted from the Northern Sherbro District, and the virtually unprecedented offer of Imperial troops made by the Governor.<sup>112</sup>

Maxwell, who in other contexts had been correctly assessed as 'not being given to hyperboles or flights of fancy,'<sup>113</sup> was forced to declare the Sandoh chiefdom in a state of rebellion after more than a month's active

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110. P.R.O. 267/492 29 March 1908 c. Probyn-Elgin

111. P.R.O. 267/543 29 October 1912 c. Merewether-Harcourt;  
S. L. A. C157 1912 30 August D. C. Maxwell Railway, 18 September,  
and 3 October telegram

112. S. L. A. C157 1912 30 August D. C. Maxwell Railway 3 October  
telegram; 27 October Merewether-Maxwell

113. P.R.O. 267/468 16 April 1903 #83 King-Harmon-Chamberlain



resistance.<sup>114</sup> He reported the instructions of the Frontier officer, Captain Coghill, as being to give the people four days to surrender after which time it would be necessary to take more drastic steps to force them to submit.<sup>115</sup> Fortunately further violence was avoided by the surrender and tax payment of many of the rebels within the given time.

A key factor throughout the disturbances had been the protection of loyal areas, particularly Sonsiama's as the great opposition to him also was shown in attacks on his towns.<sup>116</sup> The Government could not allow defiance of a chief's orders to pay tax, however much the district officers recognised it as being first and foremost an expression of resistance to the chief's authority, more than of the Government's. In a like manner in July 1913 LeMesurier, acting for Maxwell, was forced to imprison several sub-chiefs who, though loyal and helpful to the Government during the 1912 disturbances, refused to obey Sonsiama's summonses.<sup>117</sup>

As the current of discontent which had existed since 1907 still ran through the chieftdom, the debates between Maxwell and LeMesurier as to where to lay the blame became increasingly irrelevant. Whether or not originally an oppressive ruler, Sonsiama's treatment of those who had opposed

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114. S. L. A. C157 1912 30 August D. C. Maxwell Railway 27 October telegram

115. S. L. A. C157 1912 30 August D. C. Maxwell Railway 1 November to C. S. Haddon-Smith

116. S. L. A. C157 1912 30 August D. C. Maxwell Railway 24 October A. D. C. Frere report, 25 October Maxwell-Merewether

117. S. L. A. C153 1913 30 July Acting D. C. LeMesurier Railway

him aggravated conditions in the chieftdom and cost him the confidence of even his staunchest supporters among the colonial administrators. In addition to his systematic campaign to discredit and have deported all possible contenders in the election which would follow Suluku's death, the Regent apparently 'thought it his duty to punish the rebels instead of trying to win their confidence and regard.' The Assistant District Commissioner in charge of the Konnoh sub-district reported that Sonsiama 'had very foolishly kept practically the whole of the country employed in making an absurdly wide road through the country and in building some 200 large houses in Kayima during the most busy farming months.'<sup>118</sup>

Such a method may have been customary, and even lenient, treatment of suppressed rebels. However, his opposition had not been put down by his own might or influence. In addition, Sonsiama's failure to win over the discontented factions in the chieftdom by 'acts of clemency and fair play' further undermined his position, and consequently the Government's by having to uphold his authority against the better judgement of the administrators.<sup>119</sup>

The possibility must be considered that methods of evasion of payment of the tax such as alleged multiple family dwellings and under-assessment were forms of resistance to the tax in the sense of being resistance to British rule. However, as will be seen more fully in the discussion of the

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118. S. L. A. C153 1913 30 July Acting D. C. LeMesurier Railway  
A. D. C. Roper report

119. S. L. A. C153 1913 30 July Acting D. C. LeMesurier 8 August

taxing procedures, most cases were probably purely fraudulent and with no intended political significance.

This pragmatic interpretation of tax evasion applies equally to chiefs and to their subjects, and to finding ways to beat the tax system as well as to moving beyond its reach. It was reported of the Jong chiefdom that the only time when it was possible to collect the tax was when the people had come into the towns at night to go to bed. Although it would seem logical that such might be the likely collection time under any circumstance, Page was specifically referring to the fact that the people ran away into the bush when the chiefs came to collect.<sup>120</sup> It can be suggested that a natural desire on the part of many people to get away without paying tax would be compounded if they felt assured that the chief, to avoid trouble with the Government, one way or another would raise the assessed amount.

Alleged overland migration to Liberia due to the unpopularity of the hut tax grew from being an occasional and minor point in reports to a major issue in 1904 when King-Harmon was informed that 'such an impression prevailed in some quarters in England.'<sup>121</sup> By Sierra Leone Government terms, a very thorough investigation was made, and revealed 'that the evidence was contradictory and the matter should be put aside.'<sup>122</sup> The former part

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120. S. L. A. C58 1905 31 January D.C. Page Bandajuma

121. S. L. A. C42 1904 20 June 1903 Govr. King-Harmon;  
See Grace, *op. cit.* for discussion of these migrations

122. S. L. A. C42 1904 20 June 1903 Govr. King-Harmon D.C. enclosures; 20 November King-Harmon

of King-Harmon's conclusion cannot be challenged, although the methods of interrogation might be. Not surprisingly, the evidence that Warren gathered was the most strongly opposed to the tax. He would be virtually guaranteed an affirmative reply to the question "Do you think that they ever crossed to escape the payment of the tax?"<sup>123</sup>

Reasons for the 'mass exodus' included to get slaves, to avoid road work, to earn money for the tax, and to leave the village. The entire matter is of interest not so much for the negligible revelations about discontent over the tax but for what is revealed by the importance the Government officials attached to the migrations. Beyond the troublesome aspect of bad publicity in Britain was undoubtedly the simple aversion to having people leave their chiefdoms, for whatever reasons and in whatever numbers. Few administrators seemed prepared to accept the simple explanation that it was not unprecedented for young men, in particular, to leave their homes in search of many of the same things which might have motivated Government officials to join the Colonial Service. There is nothing to indicate that there was anything unusual about the migrations to Liberia excepting the fact that until 1904 they had not received a great deal of attention. Certainly the investigations did not reveal any sources of discontent or oppression which were widespread or not previously known.

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123. S. L. A. C42 1904 20 June 1903 Govr. King-Harmon D. C. Warren  
Bandajuma enclosure

The manner in which this episode was pursued is indicative of the attitude of the many Protectorate administrators who in the years after the Rebellion looked for resistance to the tax, or to the British Administration in general, in every scene of unrest. Although it was perhaps a mistake, albeit understandable, to construe many of the incidents as being ones of resistance it was equally wrong to minimize or overlook the various disturbances and expressions of discontent as did Wilkinson and Slater in their retrenchment proposals.

Suggestions of both of these Governors to cut back on the West African Frontier Force were made in the belief that 'one Double Company would be ample for safety, there being no longer any need to overawe the people'<sup>124</sup> in view of 'the peaceful condition of the Protectorate during the last 20 years.'<sup>125</sup>

This proposal coming from Wilkinson confirmed the low opinion of him held by many at the Colonial Office. Although he had been on leave at the time, Wilkinson's tenure had encompassed the Syrian riots of July 1919. Originally caused by trade jealousy between the Creoles and Syrians, the indigenous population soon had joined the raids on Syrian property in Boia, Moyamba, Mano, Makump, Waterloo, Port Lokko, and Bonthe. Members of the West African Frontier Force sent in when Evelyn, as the Officer Ad-

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124. P.R.O. 267/590 21 April 1921 c. Wilkinson-Milner

125. P.R.O. 267/597 12 October 1922 c. Slater-Churchill

ministering the Government, had declared martial law, also were involved in the plundering and looting which lasted well into August.<sup>126</sup> Two of the major reports of the riots were made after Wilkinson had returned to Freetown,<sup>127</sup> so he could not have been ignorant of the events.

Slater not only lacked first hand experience with disturbances in the Protectorate, he also was misguided by Stanley who assured the newly-arrived Governor that with the exception of the improper use of troops in 1919 he 'could not remember having ever heard of any incident since the Rebellion of 1898 which necessitated the use of even Court Messengers in a semi-military capacity.'<sup>128</sup> It can only be presumed that this Protectorate administrator, first appointed a District Commissioner in 1910, was suffering from limitations in either his memory or in his awareness of events taking place in parts of the Protectorate other than his own.

Although such incidents as the migrations to Liberia, the Human Leopard murders, the disturbances in the Safroko Limba and Sandoh chiefdoms, and the 1919 Syrian riots can be interpreted in various ways and attributed to factors not directly related to British rule, the fact remains

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126. P. R. O. 267/582 telegrams and dispatches from 19 July 1919 to 7 August 1919 O. A. G. Evelyn-Milner reporting events as they occurred; from 7 August 1919--29 January 1920 O. A. G. Evelyn and Wilkinson-Milner analysis of the occurrences.

127. P. R. O. 267/583 9 October 1919 #456 Wilkinson-Milner;  
P. R. O. 267.585 29 January 1920 c. Wilkinson-Milner

128. P. R. O. 267/597 12 October 1922 c. Slater-Churchill Stanley enclosure



that such events were not indicative of the settled, contented conditions colonial administrators strove for and often, between incidents, believed existed.

In the eyes of some administrators and probably many of the indigenous population the consolidation of British rule after 1898, in terms of a settled, peaceful state of affairs, was not achieved rapidly or smoothly.

## CHAPTER III

## THE PROTECTORATE HOUSE TAX

## Introduction

The hut tax was retained after the 1898 Rebellion; and the prolonged debates over its retention, and recommendations for alterations in the system of collection caused very few immediate changes. The major changes in the tax laws are found to exist between the 1896 and 1897 Protectorate Ordinances, not between those of 1897 and 1901. At Chamberlain's direction certain variations were made in the tax system before it was put into effect. By making the amount of tax a uniform five shillings, exempting some areas, and having collection by indigenous rulers who would receive rebates for their efforts, the Protectorate Ordinance of 1897 was undoubtedly viewed as means to also mollify the chiefs who felt they were being stripped of their powers and to facilitate collection by the understaffed Protectorate administration.

As can be seen in the testimonies given Chalmers, collection of the tax from the indigenous rulers was in many cases carried out by the Frontier Police in lieu of district officers. Although their oppressive and extortionate methods were a major source of grievance, this system was not discontinued until 1901 despite instructions from Chamberlain that Frontiers always be

accompanied by European officers.<sup>1</sup> Cardew's interpretation thereof specifically did not include supervision of matters concerning tax collection. This was most apparent in his support of Hood's request to detail Frontier Police to accompany all Bandajuma chiefs when they collected from their subjects.<sup>2</sup> Not surprisingly the Bandajuma chiefs, at the time of the next tax collection, were reported as having 'no objection to the tax but taking exception to the methods of assessment and collection.'<sup>3</sup> It is doubtful that Cardew was blinded by naive loyalty to the Frontier Force he had nurtured; it is more likely that the various afflictions Fyfe describes as plaguing Cardew in 1897<sup>4</sup> had by this time made him not only irascible but more single-minded than ever.

Upon his assumption of the Governorship in the beginning of 1901, King-Harmon opened investigations into the tax collection systems which resulted not only in prohibiting the use of Frontiers to collect the tax from the chiefs but also, via the 1901 Protectorate Ordinance, #33 of 1901, in the clarification of the assessment system alluded to in the 1897 Protectorate Ordinance. Although the Protectorate Ordinance of 1901 required that the assessment provided for in 1897 be done every five years, neither pieces of

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1. P.R.O. 267/453 2 May 1900 #110 Cardew-Chamberlain  
8 September 1899 cited on:
  2. P.R.O. 267/453 2 May 1900 #110 Cardew-Chamberlain  
16 April Hood enclosure
  3. P.R.O. 267/457 26 February 1901 #50 King-Harmon-Chamberlain
  4. Fyfe, History ... op. cit. p. 549

legislation specified who was to do the registration or assessments thus called for.

The practice of using unsupervised Frontiers, and later Court Messengers, for registration of houses for tax assessment purposes was an expedient that was found to be criticized on the same grounds of fostering conditions for extortion, corruption and oppression as was the equally pragmatic employment of such personnel to collect the tax. Although the latter practice had been specifically curtailed, it remained the practice for Court Messengers to compile the registers until this responsibility was officially delegated to the chiefs in 1906.<sup>5</sup> With the unavoidable realities of European staff shortages and the tendencies to poor judgement on the parts of some district officers it is likely that the Court Messengers continued to be employed in the registration of houses and the collection of the tax from the chiefs. It was accepted practice for many years to use them to check assessments, a duty as open to corruption as making the original determination of the assessment.

Not all chiefs shared the sentiments of Pa Nembana of Kwaia who requested that 'if the great burden imposed on them of paying the tax was to be continued no member of the Frontier Police or Court Messengers be allowed to interfere in it.'<sup>6</sup> He cited the case, later investigated and found to be

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5. S. L. A. Circular 30 October 1906

6. S. L. A. 963 1901 27 February Pa Nembana of Kwaia to C. S. Gore

essentially true, of Court Messengers from Moyamba forcing payment of an additional £1/10 for each of 374 towns. This levy was made in the name of the District Commissioner for a 'farm tax.' The chiefs who refused to pay were reported to have been tied, flogged and heavily fined.<sup>7</sup> The facts that much extortion was done in the name of the Government, and that the sources of grievance in 1898 had not yet been removed, could have done little to instill confidence of the Protectorate Administration in the protected peoples.

King-Harmon also received reports of chiefs who appealed to District Commissioners for the assistance of Court Messengers and Frontier Police to collect from their subjects.<sup>8</sup> However, it is neither inconsistent nor incomprehensible that some chiefs found the presence of such personnel oppressive and detrimental to their own authority while others found such Government officials helpful in carrying out duties they might otherwise be powerless to execute. A less noble motive for seeking the aid of Court Messengers and Frontiers would be to lend the appearance of Government sanction to any additional levy which might be made and shared between the ruler and the official.

#### The House Tax and the Principles of Protectorate Administration

The shortcomings of the methods employed to determine and collect

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7. Ibid.

8. S. L. A. 273 1901 14 January Govr. King-Harmon 27 February  
Acting D. C. Eames Panguma re: Konnoh country

the Protectorate house tax were inherent in a tax system conceived in the requirements and philosophy which determined the Protectorate Administration. As the Protectorate had to be financed locally and Cardew was reluctant to impose financial burden on the Colony, he looked to direct taxation in the Protectorate as a major source of revenue. Cardew was familiar with the successful imposition of taxes directly on poll, property and dwellings in other African territories and felt that the inhabitants of the Sierra Leone Protectorate were capable of paying a tax on their places of residence.<sup>9</sup> Considering the role that economic factors played in the assumption of the Protectorate, and Cardew's interest in the development of the resources of the country, it is likely that he subscribed to the theory that taxation was a stimulus to the productivity of the indigenous population.

Lugard, the author of the system of Indirect Rule which in many ways resembled the administration introduced by Cardew in the Sierra Leone Protectorate, placed the utmost value on the institution of taxes. Beyond being a necessary source of revenue he felt it marked the recognition by the community of the Suzerainty of the protecting power and the corresponding obligation to refrain from lawless acts. Lugard maintained and colonial administrators at the turn of the century would have agreed that failure to impose it was regarded as a sign of weakness or of fear. He was, however, ex-

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9. Fyfe, History ... op. cit. p. 543



pressly opposed to direct taxation assuming the form of a house tax.<sup>10</sup>

Once it was decided that a tax was to be imposed in the Protectorate it was a matter of both financial expediency and of principle that the chiefs be the agents responsible for the collection of the tax from their subjects.

From time to time Government officials, despairing of the deficiencies of a system dependent on individuals allegedly so unsuited for the requirements of the job, had to be reminded that the collection system was part of the fundamental policy of government. To set aside the vitally important matter of recognizing and upholding the authority of the chiefs over the people and governing the people in fact through the chiefs would, in the belief of King-Harmon, result in setting the chiefs against the Government. Destruction of chiefly authority, a state of rebellion, dissatisfaction and chaos would also be caused by bypassing the chiefs in tax or other governing matters.<sup>11</sup>

Fairtlough condemned a complex register scheme proposed by the Auditor in 1902 on the grounds that it would not only require a large and costly staff, but also would constitute interference between the chiefs and Government. In the opinion of this former Frontier officer who had years

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10. Lugard, F. The Dual Mandate in British Tropical Africa (London, 1923) pp. 218, 237, 252; Lord Hailey, in Native Administration in the British African Territories Parts 1-3 (London, 1950) provides a succinct coverage of the theories and practices governing the imposition of taxes in other parts of British Africa.

11. S. L. A. 3419 1902 2 August Acting D. C. Wallis Bandajuma, 10 December Govr. King-Harmon-Wallis

of experience in the Sierra Leone hinterlands, "one of the chief causes of the late agitation against the tax was the idea that the chief would no longer be the medium of communication between the Government and the people, and that thus their power would slip away from them."<sup>12</sup> Fairtlough predicted that anything which tended to revive this idea would lead to the same 'undesireable complications' described by King-Harmon.

Such was one side of the rationalization for use of chiefs in the Protectorate Administration, and particularly in the tax system. However, philosophical defence of the use of indigenous rulers rarely distorted the ability of most colonial administrators to perceive the advantages of direct assessment and collection by European staff. This appreciation is no more clearly stated than in Probyn's Standing Instruction on the House Tax Collection circulated to the District Commissioners in 1910. "If the political staff were sufficiently numerous it would be the best course for the assessment of all the Chieftdoms in a District to be made by the District Commissioner or by Officers acting under him. This is not practicable at present and consequently the assessment has to be left to the Paramount Chiefs."<sup>13</sup>

Fairtlough's description of the situation in Ronietta in 1902 serves to substantiate Probyn's point and to provide the modern reader with a better impression of conditions which determined the mode of Administration:

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- 12. S. L. A. 3354 1902 19 August D. C. Fairtlough Ronietta
  - 13. Standing Instruction #4 of 1910, 30 April (Appendix B)

"This district is at present assessed at 8,000 in round numbers. This sum represents a total of 32,000 houses which are scattered over an expanse of about 5,600 miles in groups usually varying in size from 4 - 40 houses. There are very few large towns like Taiama and Mokelleh which contain over 150 houses. These villages are generally 10 - 15 miles apart and except on the main roads are difficult of access and it is absolutely impossible for the District Commissioner to visit one half of his district in any one year even supposing he devoted all his time to travelling which in view of his other multifarious duties he cannot do." <sup>14</sup>

Given the requisite use of indigenous rulers, the history of the tax in the Sierra Leone Protectorate and the actual and anticipated abuses of the registration, assessment, and collection systems is one of attempts to determine the lesser evils.

### The House Tax System

#### Description of the System in 1901

The system which prevailed by the end of 1901, with variations according to district conditions and Commissioners, was that a register of the houses in a chiefdom was compiled by a government official, usually non-European, in the company of the chief. Although the assessment of each area had only to be revised within every five years, lists of the amount due annually were sent to the chiefs several months before the beginning of the year for which the tax was to be collected. Theoretically the chief would have this time to appeal any inaccurate parts, to employ clerks to keep

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14. S. L. A. 3354 1902 19 August D. C. Fairtlough Ronietta

accounts and issue receipts, and to divide the collection duties among his sub-chiefs. The sub-chiefs in turn called upon their headmen to collect for each house under their immediate authority, and to pay it to the sub-chief who then conveyed it to the chief for payment to the District Commissioner at Headquarters or another appointed centre. The Paramount chief received from the District Commissioner a bundle of receipts made out for the amounts reportedly paid by each town, village and fakai which he was to distribute to the respective sub-chiefs.

#### Abuses of the Tax System

The record of the Protectorate tax during its first twenty-five years reveals the consequence of inability, corruption, illiteracy, incomprehension, and shrewd manipulation. The foibles of human nature--temptation, laziness, ignorance, incompetence, avarice, ambition--were no less present among the indigenous rulers than among the Government officials.

The opportunities for honest mistakes and calculated fraud were many. To the credit of the Protectorate chiefs, many of the investigated cases of alleged extortion and exploitation of the tax system were found to be merely the result of the inability of the chiefs to understand the tax system or lists; or to read, write, and count and thus keep proper records and issue receipts. Another source of misunderstanding and complaint, and admittedly of abuse, was the custom of chiefs' messengers receiving presents from any town to

which they carried the chiefs' word.<sup>15</sup> This was a privilege of the chiefs which the Government was not prepared to interfere with, and one which the messengers exploited on their own initiative.<sup>16</sup>

The reports of the district officers do contain a considerable number of references to instances of deliberate fraud in the handling of tax matters. However, relatively few of these cases are well-documented and proven. Several reasons can be offered for the discrepancy between cases suspected or alluded to and those actually investigated and substantiated, beyond the difficulties in obtaining evidence. Despite the assumption of many colonial administrators that oppressed subjects would really file grievances against their rulers, it is unlikely that this is so. Certainly the majority of the Protectorate inhabitants were not as geared to such non-traditional methods as recourse to the District Commissioner as Fairtlough judged them to be in 1901.

The Irishman always appeared to understand the logistics of a situation far better than he did human nature. It was his wholehearted belief that a chief could not exact more than what was due without his subjects coming in to complain. 'This might have occurred in previous years but now the

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15. A custom referred to by other district officers but most clearly described by Maxwell reporting of his investigation into alleged tax extortion in Suluku's Saffroko Limba country. S. L. A. C46 1904 10 April Acting D. C. Berney Koinadugu 13 May D. C. Maxwell
  16. S. L. A. C32 1906 5 March D. C. Anderson Panguma 1 April report of Jong chieftdom

natives perfectly understand that they are only liable for 5/ a house each year and refuse to pay more.' <sup>17</sup>

Complaints which were made, and received the type of skepticism which Bowden admittedly attached to 'this type of charge against a chief', could very possibly have been put aside by a harassed, overworked, preoccupied, or simply self-righteous, official. Bowden's grounds for his attitude were that the type of charge in question was 'not infrequently employed by unscrupulous parties who wish to bring the chief into disrepute with the Government on account of some petty dissatisfaction they may feel at an adverse decision at his court.' <sup>18</sup> However true this phenomenon may have been in the Railway District, such a sentiment, especially from less conscientious administrators, would not bode well for a thorough, unbiased enquiry into complaints.

Bowden might have used his 'discretion' in such a way that prevented disclosure of extortionate practices. Wallis exercised his initiative to refrain from prosecuting 'all the chiefs who are embezzling' as he assumed that their consequent removal would lead to trouble and unrest. <sup>19</sup> It might have been the case that removal of oppressive rulers would have just the opposite effect. The policy of leaving district officers largely to their own

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- 17. S. L. A. 273 1901 15 January Govr. King-Harmon 13 February  
D. C. Fairtlough Ronietta
  - 18. S. L. A. 2641 1909 20 June Acting D. C. Bowden Railway
  - 19. S. L. A. 3419 1902 2 August Acting D. C. Wallis Bandajuma



devices was not without drawbacks in this context and in others examined.

Over and above the temptation of chiefs to appropriate some of the cash which was often randomly collected and accounted for, the incentive of a 5% rebate on the total tax submitted admittedly provided motivation for corrupt practices. The methods employed by chiefs with criminal tendencies varied from 'faking up' the lists sent to the Government of the amounts each sub-chief had paid and thus taking advantage of their illiteracy, to ensuring that under-assessment concealed over-collection.

Wallis' report of the trial of Paramount Chief Makavouri of Bumpe for extortionate collection of the tax showed people 'tied, ill-treated and forced to pay sometimes six times over the 5 shillings.'<sup>20</sup> The system used was that once the amount that had to be collected for the Government was known, the chiefs and clerks put a price on the big towns and made the people pay. The Government portion was then deducted and the balance shared between the chief and his collectors. As investigating officer, Wallis did not attribute much cunning to the 'uneducated savages' but laid the blame for the 'faked lists' and embezzlement in the Bandajuma District on the 'semi-literate unscrupulous native clerks.'<sup>21</sup>

The shrewdness of Chief Soko of Bongor, in the Railway District, must be applauded for his years of successful misappropriation however

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20. Ibid.

21. Ibid.

much it may be considered that his talents were misdirected. He was found to have under-assessed all the large towns in his chiefdom, and to have collected from only such parts of the chiefdom as were necessary to raise the funds to pay the Government officer. The levy on the remainder of the chiefdom was made after the collector had left the area and kept for the chief's own use. As with most criminals, he was found out by neglect of detail or perhaps indulgence in the sin of over-confidence. Contradictory evidence at his trial was undermining the District Commissioner's case until a search of Soko's house disclosed the assessment lists showing the villages he claimed ignorance of and a record of the same sums the headmen claimed they had paid.<sup>22</sup>

It was not until 1905 that sub-chiefs and headmen themselves were permitted to pay the tax collected from their respective areas to the District Commissioner, and then only when in dispute with their Paramount Chief. Such an adjustment did not accomplish the intended reduction in opportunities for chiefly oppression. It would seem more than likely that new sources of conflict were created between Paramount Chiefs and any sub-chiefs or headmen who deigned to challenge their authority.

This was not the sort of dispute which found its way into the records of colonial administrators unless it constituted the basis for a case or an appeal within the jurisdiction of the District Commissioner's Court. The

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22. S. L. A. 2641 1909 20 June Acting D. C. Bowden Railway

other condition under which such conflicts were recorded was if disciplinary action was required against the Paramount Chief's subordinate.<sup>23</sup>

### Changes in the Tax Collection System

The first major changes in the tax system since the Protectorate Ordinance of 1897 came as a result of innovations made in 1905 by Anderson, the controversial District Commissioner then in the Panguma district. This enterprising administrator, criticised for being too over-zealous and protective,<sup>24</sup> went into each chiefdom to collect the tax directly from each sub-chief and headman at appointed centres. The responsibilities of the Paramount Chief were thus limited to making sure that his sub-chiefs and headmen knew their assessments and came before the District Commissioner at the proper time, and to collecting from his own towns. Anderson pointed to three major advantages of his method. It was his contention that many of the potential evils were removed by not having the Paramount Chief handle the chiefdom tax monies, but by continuing to award him the full rebate as incentive that full collection by his subordinates would be ensured. Those aspects were more likely to strike a sympathetic note with his fellow administrators than his third cited benefit--increased contact with all the rulers and opportunity to discuss changes, Government projects and any problems with them.<sup>25</sup>

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23. See Standing Instruction #9 of 1910 The Authority of District Commissioners over Paramount Chiefs, Appendix C

24. P. R. O. 267/517 20 November 1909 O. A. G. Haddon-Smith-Crewe

25. S. L. A. C32 1906 5 March D. C. Anderson Panguma

Of all the accusations made about Anderson, Haddon-Smith's judgement that he was not suited for the job<sup>26</sup> was probably the most accurate as it would appear that Anderson was essentially a man ahead of his time. Lugard would have approved of Anderson, for the former considered the chief value of a direct tax to be 'the close contact between officials and natives which assessment and collection necessitates, and the consequent mutual understanding and confidence which invariably results.'<sup>27</sup> Although this may be something of an overstatement in the case of Sierra Leone in the early years of this century, Anderson's more enlightened colleagues, Bowden and Maxwell, did come to appreciate the value of these meetings.<sup>28</sup>

Although there is no record of the details of Anderson's innovations being transmitted to the other district officers either as information or directives, his tax practices had been instituted throughout the Protectorate by the time the collection was made at the beginning of 1907. Despite complaints of the additional burden placed on them by having to visit the chiefdoms, the annual reports of the District Commissioners contain an unusual degree of unanimity and praise for the collection system.

Not only did the District Commissioners appreciate the changes but also they reported that the new system was welcomed by the chiefs. The

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- 26. P.R.O. 267/517 20 November 1909 c. O. A. G. Haddon-Smith-Crewe
  - 27. Lugard, op. cit. pp. 233, 250
  - 28. P.R.O. 267/532 1 June 1911 #267 Merewether-Crewe Maxwell  
Railway District report; P.R.O. 267/570 3 March 1916 #83  
O. A. G. Hollis-Bonar-Law Bowden Railway District report

reasons for this attitude included freeing them from malaccusations of extortion and from a job which allegedly was inconsistent with the patriarchal form of government. The effect of impairing their authority over their subjects was presumably the result of 'unedifying disputes between chiefs and subjects' referred to by Page in his discussion of the merits of the new collection system as seen in the Northern Sherbro District.<sup>29</sup>

There was no suggestion during this period of the possibility of collaboration between chiefs intent upon a substantial rebate, and sub-chiefs and headmen. For all that Anderson's innovations were marked improvements, they did not ensure accuracy nor the elimination of extortion or incompetence.

### The System of Receipts

Literacy was a considerable factor in the assessment and the collection of the tax and in the system of receipts. Finding bundles of tied receipt tickets, dirty and abandoned in the corner of a chief's house did not surprise District Commissioners who realized that few of the chiefs, and fewer of the sub-chiefs and headmen who were to have received them, could read or understand the receipts.<sup>30</sup> With the institution of collection direct from the

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29. P. R. O. 267/495 23 July 1907 #299 Probyn-Elgin Page Northern Sherbro District report

30. Although it was Wallis who reported coming across the actual bundles, Bowden and Berney in their investigations of tax abuses discuss the irrelevancy to illiterates of these receipts. S. L. A. 3419 1902 2 August Acting D. C. Wallis Bandajuma; S. L. A. 3488 1902 6 August Acting D. C. Berney Koinadugu; S. L. A. 2641 1909 20 June Acting D. C. Bowden Railway

local rulers, District Commissioners handed out the receipts themselves. However, no proof of payment for the individual house-owners was attempted until the introduction of the house-card system in 1908.<sup>31</sup>

Also provided for in 1908 was the system of giving the Paramount Chief one receipt for the gross amount paid. This reverted in 1910 to the earlier practice of issuing itemized receipts to each sub-chief and headman for his own area, but the house-card system was retained.<sup>32</sup> Unfortunately the elaborate plan of distinctively coloured and printed house tax cards for successive years depended on the accurate distribution by the headmen. There was no way of ensuring that the cards would not be handed out for each house regardless of whether or not tax had been paid or withheld from some who had paid. Certainly there was nothing in the system which guaranteed improved comprehension of the indigenous rulers or subjects of the significance of these cardboard tokens.

The theory set forth in the Standing Instruction #4 of 1910 on the House Tax Collection was that the house-card system 'enables every house owner to receive a Government token showing that the money he paid has reached the hands of the Government.'<sup>33</sup> It is likely that even if these cards were distributed as intended, upon request to produce them many people would be unable to, either from wear and tear or loss because their value was not

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31. Standing Instruction #2 of 1908, 25 April

32. Standing Instruction #2 of 1908; Standing Instruction #4 of 1910, 30 April (Appendix B)

33. Standing Instruction #4 of 1910 (Appendix B)



appreciated and their construction not of an enduring nature.

### Abuses in the Assessment System

A. J. Berney, who was detailed from the Frontier Police to act as District Commissioner in Koinadugu in 1901, was of the breed of colonial administrator better suited to desks and policy-formulations than patrols and practical solutions. His inertia and inability to put into effect cures for the diverse evils he pinpointed in administrative systems caused his perceptive observations to be largely ignored by his superiors in Freetown. The fallacy in the tax system lay, in his opinion, in the assumption that the chiefs would be able to arrive at a knowledge of the contents of assessment lists written in English and at an understanding of how to make an accurate and equitable collection. In the Koinadugu District the majority of the chiefs were reported as not only being themselves illiterate but also lacking clerks or writers who could check the lists or keep accounts. Berney's contention was that if the lists were in Arabic most of the rulers would be able to get them read.<sup>34</sup> However he did nothing to bring about such an innovation.

The Acting District Commissioner viewed the cumulative effect of the system's deficiencies as being that 'a Paramount chief who does not know accurately the amount of tax he is assessed for is collecting money from headmen who do not know how much they ought to pay.'<sup>35</sup> Specific situations which

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34. S. L. A. 3488 1902 6 August Acting D. C. Berney Koinadugu

35. Ibid.

resulted from the literacy and comprehension problems included chiefs bringing in lump sums with no idea from which towns, or with itemized accounts which did not correspond to the amounts. One desperate, and ingenious, chief herded all his sub-chiefs and headmen to district Headquarters to deliver whatever sums they considered to be correct as he was 'totally confused.'<sup>36</sup>

A further defect of the assessment system was pointed up by complaints from chiefs themselves, who appealed for it to be done annually. Whether or not they were 'out of pocket' as claimed by making up the amount required, the chiefs did have a valid grievance that migration, deterioration and abandonment of houses altered the number of taxable dwellings in a chiefdom far more frequently than the register was compiled.<sup>37</sup> It must be noted that it would be equally true that neither did new constructions go onto the tax rolls. This fact was pointed out by government officials attempting to justify the retention of the three-yearly assessment system introduced in 1902. The basis of their argument was that, staff shortage aside, houses that were newly built were probably balanced out by ones that had fallen into disuse.<sup>38</sup>

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36. Ibid.

37. S. L. A. 879 1903 19 January Chiefs and sub-chiefs of Jong, Bandajuma petition; P. R. O. 267/467 23 February 1903 #36  
King-Harmon-Chamberlain

38. P. R. O. 267/464 6 October 1902 #256 King-Harmon-Chamberlain; Ordinance #15 of 1902; P. R. O. 267/467 23 February 1903 #36  
King-Harmon-Chamberlain

The responsibility for assessment was not shifted to the indigenous rulers until 1905,<sup>39</sup> presumably as the chiefs' acceptance of the tax and cooperation with its collection were not considered sufficiently secure until that date. Under the new system a small stone was collected for each house and carried before the District Commissioner who, with the Paramount Chief, counted them and made the register. As the system became more refined the piles for each sub-chief's and headman's area were kept separate and notched sticks were made to represent the amount owed.

The chiefs were now considered to be in the position to distinguish between used and disused and newly built houses, and to report these changes to the District Commissioner when the assessment list came out. In this way the necessary modifications of the District Commissioner's original assessment were to be made. Alleviation of many of the problems and grievances was anticipated by the hopeful colonial administrators. It was not, however, until 1910 that annual assessment was instituted.<sup>40</sup>

Although the assessment system of 1905 did succeed in quieting the chiefs' complaints, it created an increased variety of situations which the District Commissioners had reason to regret. Giving the chiefs the duty of

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39. S. L. A. 3166 1907 8 August C. S. Haddon-Smith proposed ordinance circulated to District Commissioners re: system instituted 1905, instructions and procedures detailed in Circular #137 30 October 1906; new instructions and proposed legislation sent to Secretary of State P. R. O. 267/489 6 November 1906 #450 Probyn-Elgin
40. P. R. O. 367/525 11 October 1910 #509 Probyn-Harcourt

assessment also gave them more opportunity to abuse their position. In addition to the continued difficulties caused by misunderstanding of orders and by illiteracy were major discrepancies which resulted from deliberate failure to report increases in population, particularly in those areas near the railway and trade centres.

Registration by sub-chiefs and headmen of their own areas became widespread practice by 1908. However, the avenues of chiefly extortion undoubtedly only were diverted, not decreased. If chiefs had been successful in falsifying assessments by coercing or otherwise convincing principal men and sub-chiefs of the benefits of cooperation, so too could the enterprising sub-chief or headman in the same position. Furthermore, it was extremely unlikely that the chiefs were going to forego their lucrative practices just because their subordinates had been given the responsibility for assessment and collection. Indeed, if this were the case there would be very few proven charges of extortion against chiefs after 1908.

In addition to assessment alterations suggested by the chiefs, District Commissioners were instructed to check in detail one or more chiefdoms every year.<sup>41</sup> Although there are occasional references to such in the records, for the most part a check on the assessment by political officers consisted of counting huts when on patrol.<sup>42</sup> Conditions in many parts of the Pro-

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41. Standing Instruction #4 of 1910, 30 April (Appendix B)

42. P. R. O. 267/572 28 October 1916 c. Wilkinson-Bonar-Law

tectorate did not alter much throughout the period under review from those described by Fairtlough in 1902, and the demands on the perpetually limited European staff increased yearly. Although the Instructions acknowledged that the system would not enable the District Commissioner to detect every error in the assessment,<sup>43</sup> it is unlikely that the cursory tally on patrol turned up many instances of abuse or malfunctioning of the tax system. It can be suggested that glaring discrepancies between the assessment and the amount of tax submitted were needed before the majority of the District Commissioners or their Assistants would journey to a chieftdom specifically to examine the register, assessment and receipts.

Whether or not the District Commissioners had this power of review by law or by usage became a subject of a comprehensive memo from Shorunkeh-Sawyerr after the 1917 disclosures of maladministration in the Northern Sherbro District which centred on Fairtlough's assessment checks. The Creole barrister pointed out that although the Standing Instruction #4 of 1910 made provision for such checks, the directives in these circulars had no legal standing. A Governor's Order of March 1910 was cited as having revoked the District Commissioner's power to check assessments given in Ordinance #13 of 1905.<sup>44</sup> Although Shorunkeh-Sawyerr surmised that the Governor's Order was no doubt intended to clear the way for the system introduced the following

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43. Standing Instruction #4 of 1910, 30 April (Appendix B)

44. P. R. O. 267/574 24 January 1917 c. Wilkinson-Long  
17 January Shorunkeh-Sawyerr

month in the Standing Instruction, the fact remained that for years there was no legal basis for whatever assessments were checked and revised by the political staff of the Protectorate.

The hardships faulty assessments may have caused the indigenous population often were insignificant compared to those inflicted by the Court Messengers who were sent in the District Commissioner's stead to investigate the lists.

As in the case of collection of the tax, the system of assessment lent itself to intentional corruption and accidental abuse by indigenous rulers no less than by Government officials. Paramount Chief Soko reported his town as having 64 houses but Bowden's investigation showed 85. 'Glaring discrepancies' of a greater order were noted in the payments for Bendu, a town of 90 houses, and Manhoma, which had a building count of 145. These two communities were assessed as having 58 and 111 houses, respectively.<sup>45</sup>

The sums exacted from the people in the Northern Sherbo District by Major Fairtlough and his staff more than made up for the losses sustained due to Soko's misappropriations over the years. Fairtlough's conviction and imprisonment of six Paramount Chiefs within thirteen months during 1915 and 1916 aroused the suspicions of Wilkinson, newly arrived at his first African post. Enquiries revealed that in 1915 the Assistant District Commissioner in charge of the Gbangbama sub-district, scene of the recent Leopard Society

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45. S. L. A. 2641 1909 20 June Acting D. C. Bowden Railway



activities, had initiated a campaign against alleged evasions. Berry, who was one of the Assistant District Commissioners appointed in 1912 to assist with the local crisis, sent out clerks and Court Messengers to 'check' returns. Fines of £414 were imposed on 552 houses and his 'informers' awarded £55/4/8.<sup>46</sup> W. B. Stanley, transferred from Ronietta to take over from Fairtlough at the outset of the revelations, found that the information of the Court Messengers and clerks was not checked by any European. His evidence showed that as the additional levy came only to 8/ a house, the people paid without serious protest.<sup>47</sup>

As the exactions increased under Fairtlough's personal campaign, which began in April 1916, so did the rewards for his staff and the discontent of the population. As the 'assessors were rewarded by results,' the junior clerks and Court Messengers he 'sent out in all directions' granted scant mercy. In Sembehun Stanley counted 73 houses; the tax records of January 1915 showed they had paid for 86. In 1916 the assessors made the headman pay the tax and three years' arrears on a further 96 houses, bringing what should have been a tax of £18/5 to £117.<sup>48</sup>

In the later stages of the enquiries, R. S. Hooker, sent to act for Stanley as District Commissioner of Northern Sherbro, found a similar.

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46. P.R.O. 267/572 28 October 1916 c. Wilkinson-Long Stanley report

47. Ibid. It was later revealed that complaints made in 1915 to Major Fairtlough of Berry's actions were ignored. P.R.O. 267/574 24 January 1917 c. Wilkinson-Long Hooker report.

48. P.R.O. 267/572 28 October 1916 c. Wilkinson-Long Stanley report

pattern to exist in the tax records of 59 villages. Comprised of a total of 2,031 houses, these villages had first paid on 2,631 units, and then in 1916 on 1,333 additional for the 'three years arrears.'<sup>49</sup>

The Government did not receive all the profits, for the incentives paid Dehu and Johnny Bobo (Borbor) for their efforts in June 1916 alone were typical of Fairtlough's reward system. Dehu, a sixth grade clerk whose salary was £34 a year, made £43, as did Interpreter Bobo, who made £38 per annum.<sup>50</sup>

As a result of the investigations into the 'maladministration' of the Northern Sherbro District numerous clerks and Court Messengers were tried before the Circuit Court Judge, and the three political officers' termination of service arranged. Wilkinson and Colonial Officer staff considered that the incident had raised many general questions about the administration of the Protectorate, 'like the whole question of the tax.'<sup>51</sup> Certain defects in the Protectorate judicial administration which were revealed will be discussed in the following chapter.

One 'question' about the tax was answered by Circuit Judge Parodi in the course of the trials of clerks and Court Messengers, many of whom were convicted of conspiracy to extort money from tax-payers.<sup>52</sup> In the course of

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- 49. P. R. O. 267/574 24 January 1917 c. Wilkinson-Long Hooker report
  - 50. P. R. O. 267/572 28 October 1916 c. Wilkinson-Long Stanley report
  - 51. P. R. O. 267/574 24 January 1917 c. Wilkinson-Long and Colonial Office minutes on:
  - 52. P. R. O. 267/572 20 December 1916 c. Wilkinson-Long Circuit Judge Parodi report

his decisions he ruled that the tax could not be levied on separate families alleged to be living under one roof, but only the dwellings themselves could be assessed.<sup>53</sup> One of the methods by which the excessive over-assessment had been accomplished was by the practice of considering 'conchos,' or what were believed to be multiple family dwellings, as liable to more than one tax payment.

The Native Assistant District Commissioner, Tuboku-Metzger, was retired under the age clause; Fairtlough, who had been transferred to another district, was allowed to finish his tour before being pensioned off. The career of L. H. Berry, the young Assistant, in the Colonial Government of Sierra Leone, came to an abrupt halt. His 'painfully misdirected zeal' was a problem which could have been overcome by guidance from his senior officers; however, 'his impatience of native complaints militated against his future usefulness.'<sup>54</sup>

#### Protectorate Administrators and the Tax

Colonial administrators affected the institution and implementation of the house tax in the Sierra Leone Protectorate in many ways. Faulty assessments were caused equally by incompetence and overzealousness; arbitrary or unjust actions resulted from, among other things, a tendency to view the handling of tax matters by the indigenous rulers with suspicion. Nowhere

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53. Ibid.

54. P.R.O. 267/574 24 January 1917 c. Wilkinson-Long

was the contact between District Commissioners and Protectorate chiefs as great as in the assessment and collection of the tax. Therefore the initiative left to the political officers and the manners in which they used their discretion were of critical importance in this respect.

Few administrators were seen to have displayed the effort of George William Page who, succeeding the armchair critic Berney in Koinadugu at the end of 1902, set about to correct the faulty registration done by the Frontiers in 1898. Whether he was a man of exceptional immodesty or exceptional energy the fact remains that he alone of the District Commissioners during the years under review reported such an undertaking as spending 80 of his first 112 days in the district on patrol compiling new registers.<sup>55</sup> His self-acclaimed ability to go through the lists with the chiefs and headmen in three languages would be an advantage not apparently shared by his colleagues who had to depend on less reliable means of revising their registrations.

Throughout his eighteen years of service in the Protectorate Page showed great interest in issues concerning the house tax. Had the 'District Commissioner's Patrol House Tax Book' which he introduced been adopted by all the Protectorate administrators valuable contributions to demographic and economic studies would have been made. This enterprising and highly organised District Commissioner scrutinized the tax returns for increases

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55. S. L. A. 3488 1902 6 August Acting D. C. Berney Koinadugu  
3 January 1903 Acting D. C. Page

and decreases, and recorded any apparent reasons for changes. In addition the 'movement of people to other towns was noted for future reference' and his opinions on the migration patterns offered.<sup>56</sup>

However much the District Commissioners may have turned blind eyes to abuses in the tax system or have been incapable of detecting them, as a body they must be given credit for the overall apparently genuine attempt to carry out their tax-related duties as best they could under the adverse circumstances of inadequate staff, large territories, and frequent transfer. Without a doubt certain district officers, such as Maxwell, Page and Fairtlough, applied themselves to tax matters with a thoroughness which seemingly derived from a greater personal conviction of the need for the tax than was possessed by many of their fellow district officers. It can be suggested that Fairtlough's attachment to the tax lay more in the tax as a symbol of acknowledgement of British dominance than in Maxwell's interest in the revenue aspect. Page emerges as a man who thrived on details and the challenge of coordinating such a massive undertaking as was the Protectorate tax system in any given district.

The latitude for individual variations within the tax registration, assessment, and collection was substantial, as seen in cases already cited. It can only be wondered to what extent the chiefs were further confounded by

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56. P. R. O. 267/513 22 April 1909 #165 Probyn-Crewe Page  
Northern Sherbro District report

the differing methods, requirements, and vigilance of successive colonial administrators.

The House or the Family as the Unit of Taxation?

All the human failings, policy priorities, and conflicts inherent in the Protectorate house tax system emerge most clearly in the 'concho',<sup>57</sup> controversy which raged throughout most of the first twenty-five years of colonial rule. Underlying the lack of clarity of Government policy about taxing these 'conchos' was the lack of agreement on the definition of these structures. Although district officers were polled about the incidence of this phenomenon in their respective areas, no attempt was made to reach a consensual definition. For many years 'conchos' were described in such indefinite terms as being lean-to attachments to a house. Undoubtedly much of the subsequent difficulties in assessing and collecting from these constructions derived from the fact that a new district administrator would have a different opinion of what was a 'concho' than did his predecessor. In such cases the assessments would be altered in accordance with the instructions of the new District Commissioner. Not unusually this meant a chiefdom's assessment might increase threefold with the change in personnel.<sup>58</sup>

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57. Variouslly spelled in the records 'konko,' 'kongo,' 'conko,' and made plural by the addition of either 'es' or 's'.

58. S. L. A. C58 1905 31 March D. C. Page Bandajuma re: Jong;  
S. L. A. 194 and 267 1909 D. C. Anderson Central re: Malal,  
Mabang, Kolifa



Until 1917 the underlying point of conflict in tax assessment and collection was whether the tax unit was the family or the building. Although the Protectorate Ordinances clearly provided for a five shilling levy on each house, it was not until Circuit Judge Parodi's decision in the wake of the Northern Sherbro over-assessments that the practice of counting two families under one roof as two houses was declared illegal.<sup>59</sup>

Although there was no specific definition of the 'concho,' by 1903 a policy was emerging to deal with this alleged form of tax evasion. Instructions circulated to the District Commissioners in time for the tax collection at the end of the year stated the principle that a levy should be made on each family living under the same roof.<sup>60</sup> No procedures for determining what constituted a family or how to find out the number of families in a dwelling were laid down at this or any other time.

Efforts to end this practice of 'overcrowding' commenced the following year. The indigenous rulers were urged to enforce customary laws which were presumed to exist against multiple family dwellings. T. J. Alldridge drew upon his years of experience in Sierra Leone and convinced first King-Harmon and then Probyn that the chief who allowed more than one family to live in a house was encouraging departure from 'the native custom by which each family had its own house.'<sup>61</sup> Statements from Protectorate rulers over

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59. P. R. O. 267/574 24 January 1917 c.; 27 April #115 Wilkinson-Long

60. Circular #49 of 1903, 21 September

61. P. R. O. 267/475 3 January 1905 #1 Probyn-Lyttleton Alldridge and Governor's Instructions enclosures

the years were elicited to substantiate this belief that customary prohibitions against overcrowding on moral and sanitary grounds were being violated.<sup>62</sup>

Incentive for the rulers to cooperate in the campaign to rid the Protectorate of this evil was provided by the threatened loss of their tax rebate.<sup>63</sup> However, there is no evidence of this threat being carried out, although temporary withholding of the commissions would not necessarily appear in the records. It was decided in 1905 and many times subsequently that such alleged overcrowding was best dealt with by the chiefs, not by legislation. As late as 1922 a law proposed for the assessment of 'double families' was abandoned. As a result there was no statutory basis for such assessments during the years under review.

Colonial administrators were of the opinion that such buildings had not existed prior to the Protectorate. Although there is nothing in the records to indicate whether or not the advent of the 'concho' coincided with that of the Protectorate, it is unlikely that this rule could be applied to the entire hinterland. The original Protectorate Ordinance, #20 of 1896, provided for a ten shilling levy on houses with four or more rooms. Such a distinction is one which implies a double tax was to be collected from larger numbers of inhabitants. Despite the fact that a uniform tax was put into effect, the prin-

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62. See P.R.O. 267/574 24 January 1917 c. Wilkinson-Long Maxwell enclosure

63. Circular #58 of 1904, 29 December; P.R.O. 267/475 3 January 1905 #1 Probyn-Lyttleton; S. L. A. 1704 1905 17 April Govr. Probyn

principle of collecting a greater amount from larger dwellings would appear to be the basis for the assessment on 'conchos.'

There is no mention of lean-to attachments in the records until the turn of the century. It is possible that Government officials had not noticed their existence until such time as administrators came to regard them as a form of tax evasion. The priorities of the Government become apparent when it is seen that on the one hand 'conchos' were deplored because of their alleged unhygienic and immoral conditions and departure from customs. On the other hand, efforts to do away with them were contradicted by provision for collecting tax from families allegedly living in these constructions. By so doing the Government appeared to condone their persistence.

The assessment of more than one family living under the same roof was not made consistently. A situation typical of the consequences of the non-specific nature of the directives and of the discretion left to district administrators was the difficulty Anderson experienced in collecting the tax from the Malal, Magang and Kolifa chiefdoms, then of the Central District.

Upon coming to the district Anderson reportedly had found that "approximately one-third of the population was living in 'congoes' and thereby evading the tax."<sup>64</sup> In Malal alone he numbered the houses as being 370 but the inhabited 'congoes' as being 643.<sup>65</sup> The refusal of the chiefs to pay the

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64. S. L. A. 194 1909 1 January the Massa Kama of Rowalla Kolifa chiefdom Central 6 January D. C. Anderson

65. Ibid.

tax at the end of 1908 and beginning of 1909 stemmed from a meeting the District Commissioner had held with them in the previous April. At that time he had told them that "people living in 'congoes' or another room of the house who were not of the immediate family of the owner had to pay 5/ as well as the owner of the house."<sup>66</sup>

By 1908 many district administrators had been reporting collections for 'conchos' for several years. Fairtlough, under whom these chiefdoms had been prior to their transfer from Ronietta, was no exception. However, the rulers' contention that they had never paid this tax was supported by Anderson who found that Fairtlough had depended on the assessment lists supplied by the chiefs themselves who had never counted 'double houses.'<sup>67</sup> Disclosures such as this no doubt formed the basis of Haddon-Smith's accusations of Anderson antagonizing the other District Commissioners.<sup>68</sup>

Each District Commissioner interpreted the instructions and what constituted 'immediate family' in different ways. A source of further inconsistency and confusion lay also in the fact that these interpretations of Government officials diverged greatly from those of the indigenous rulers, on whom the responsibility for assessment ultimately rested. Anderson's 1908 qualification of 'all who were not wives and young children of the owner of the house'

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66. Ibid.

67. S. L. A. 194 1909 1 January the Massa Kama of Rowalla Kolifa chiefdom Central 6 February D. C. Anderson

68. P. R. O. 267/517 20 November 1909 c. O. A. G. Haddon-Smith-Crewe

being subject to the separate family tax<sup>69</sup> is the first recorded definition. Even he complicated the issue by referring synonymously to 'non-relatives' of the woners. The objection of the chiefs in this case centred on the fact that these rooms were for 'strangers' and family friends whom it was improper to house with their wives.<sup>70</sup>

Such an explanation was definitely plausible, and contributes to the argument that the Government conception of these attachments being recent in origin and designed to evade the tax was erroneous in many instances. Government officials could not agree on the question of evasion. Maxwell disbelieved that the Konnohs of the Central District were defrauding the Government of 'a disgraceful amount' of revenue by tearing down 'conchos' until the District Commissioner had been and gone.<sup>71</sup> John James Kelynge Greenway, the former Frontier Force officer who reported this phenomenon, did not see the relevancy of Maxwell's argument that the labour involved in such a process would far exceed the amount of the tax which purportedly had been evaded.<sup>72</sup> Not only was the structure built within a day or two, but also it was the Acting District Commissioner's observation that the Konnohs only used money for the tax. Labour among themselves was given, if anything,

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69. S. L. A. 267 1909 11 November D. C. Anderson Central

70. S. L. A. 194 1909 1 January the Massa Kama of Rowalla Kolifa chiefdom Central petition

71. S. L. A. 420 1907 14 January Acting D. C. Greenway Panguma 19 February D. C. Maxwell Railway

72. Ibid.

rice or a cloth.<sup>73</sup>

Experience in different parts of the Protectorate not infrequently was responsible for such divergence of opinions. It can be suggested that Maxwell's interpretation might have been affected by the fact that much of his service had been spent in the Railway District where a greater premium might be placed on the cash value of labour. In later years, as the Officer Administering the Government, he was to recollect the regional differences in the occurrence and usage of the 'conchos.'

An influence of British rule other than the tax was responsible for the 'tenement and semi-detached' structures which were found in the Railway District. Maxwell identified the cause of grouping of more than one family under one roof in Sierra Leone as in England as being economy of construction.<sup>74</sup> The introduction of long, sub-divided houses, or 'sinbeks,' he traced 'to the Railway construction begun in 1896 ... for the convenience of housing native labourers.'<sup>75</sup>

Among the Mendel and Sherbro in the eastern parts of the Protectorate, Dr. Maxwell had detected a much greater tendency to 'combine to reduce the incidence of the tax.' It was his contention that over the years he served in Sierra Leone he had been able to observe the spread of this practice in a

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73. S. L. A. 420 1907 14 January Acting D. C. Greenway Panguma  
15 March

74. P. R. O. 267/595 8 March 1922 c. O. A. G. Maxwell-Churchill

75. Ibid.



'westward movement.'<sup>76</sup> Maxwell's alleged ethnic and regional origins of the 'concho' as a tax evasion method would have accounted for Page's astonishment at encountering 'as many as eight distinct families herded together' in parts of the Jong chiefdom<sup>77</sup> which was listed as a Sherbro chiefdom in the Local Assembly divisions.<sup>78</sup>

A case cannot be made for the argument that 'overcrowding' began among the Mendeland Sherbro after the tax was introduced, and that 'multiple family dwellings' had not existed in other parts of the Protectorate until the alleged spread of this fraudulent practice. The reports of the district administrators themselves belie the truth of such a statement. The chiefdoms of the Central District in which Anderson saw more 'conchos' than anywhere else in his varied experience were Temne.<sup>79</sup>

However, the important fact of such an argument is that, evidence to the contrary, many colonial administrators at the time believed it to be true and assessed accordingly. When district officers of no prior experience with enlarged dwellings first encountered them they tended to regard these structures unquestioningly as the tax-evasion 'conchos' discussed in circulars and other Government communications.

The 'barrack'houses Maxwell described were dismissed by W. B.

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76. Ibid.

77. S. L. A. C58 1905 31 March D. C. Page Bandajuma

78. Sierra Leone Governor's Order #22 of 1907, 19 September

79. S. L. A. 194 1909 1 January the Massa Kama of Rowalla Kolifa chiefdom Central 20 January Central D. C. Anderson

Stanley as being uncommon beyond the Railway and were not among the architectural styles he discussed and diagramed in 1923. Prior to that time there is no evidence of his having documented his assertion that the 'kunko,' or 'room,' was a perfectly natural and legitimate feature of the 'native' house and did not necessarily connote overcrowding.<sup>80</sup> Not since Anderson had any Sierra Leone Government official referred to the 'concho' in terms of the family, and even Anderson had done so only for the purposes of clarifying who was subject to an additional tax. Stanley, on the other hand, maintained that the number of 'rooms' was determined by the size of the family. If the number of children increased further than custom or propriety allowed, another house would be built.

The common sense of this Provincial Commissioner with more than a dozen years' experience in all parts of the Protectorate was evident in his suggestion that the custom against houses beyond a certain size might also be related to the structural limitations imposed by thatched roofs.<sup>81</sup> Although Stanley does not specify who comprised the family of the owner he alone viewed the house as a family unit and never succumbed to the suspicions of more than one family living under one roof.

During the years under consideration, Stanley came as close as any colonial administrator to addressing himself to the possibility that additional

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80. P.R.O. 267/499 8 January 1923 c. Slater-Devonshire Acting C. S. Stanley enclosure

81. Ibid.

rooms or even lean-to attachments in some areas might be customary arrangements for extended and polygynous families. Marriage and family patterns varied among the peoples of the Protectorate,<sup>82</sup> but generally speaking in those places where a man had more than one wife, each wife had her own house. There were also well-established traditions concerning the domestic arrangements for children, newly-weds, widows, the elderly, and the infirm. Government officials did not take these factors into consideration in the assessment of 'other families,' presumably as they felt it best left to the determination of the indigenous ruler.

District officers admittedly counted only the buildings in their assessment checks, and enquired about any especially large ones. The policy of taxing the house, despite the number of rooms, was explained to the chiefs and headmen responsible for the assessments in terms of 'the native customary definition of house, the dwelling place of one family.'<sup>83</sup> In theory the local rulers, by knowing the people in their areas, would be able to levy a tax on each family irrespective of the number of houses. In practice the system was fraught with many difficulties.

A chief who assessed in accordance with the Government requirements violated the trust of his people and became a Government agent in their eyes. A chief who failed to determine the number of additional families in enlarged

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82. See Chapter II, footnote 1

83. P.R.O. 267/574 24 January 1917 c. Wilkinson-Long Maxwell enclosure

dwelling, or who provided a correct assessment of the families in the indigenous understanding of the term, ran the risk of getting in trouble with the Government. Fairtlough's deposition of numerous chiefs in the Northern Sherbro District and ruthless over-assessment were based on his assumption that the chiefs were presenting fraudulent assessment lists. Fairtlough was faulted with having totally disregarded the system of leaving the assessment to the chiefs, and delegating that authority and responsibility to Court Messengers and clerks. It can be suggested that his earlier experience with the Malal, Mabang and Kolifa chiefs, whom he incorrectly had assumed were assessing the 'conchos,' made him skeptical of leaving this determination to indigenous rulers. Fairtlough was not a man to be bound by the informal rules of a system he personally had found to be defective. It could well have been the case that the Northern Sherbro chiefs were under-assessing. The tally of the areas concerned during the investigations which followed was strictly a building count. However, as a result of the latitude for abuse, on the chiefs' side as well as on the Government's, Judge Parodi decreed that the 'practice of two families living in one house could not be considered an offence of the revenue laws.'<sup>84</sup>

The years of differing opinions and conflicting practices surrounding the assessment of 'conchos' might have been expected to end with Parodi's decision. However, the 'disastrous effects of joining roofs together' during

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84. P.R.O. 267/574 24 January 1917 c. ; 27 April #115 Wilkinson-Long

the 1919 influenza epidemic,<sup>85</sup> and the reported upsurge of 'overcrowding' and its alleged revenue loss caused Government officials to consider legislation mandating assessments by family. The law, drafted by Maxwell when serving as the Officer Administering the Government, was all but put into effect when Slater assumed the Governorship in May 1922. His perusal of the varying opinions of Maxwell, the Provincial Commissioners, and Stanley, acting as Colonial Secretary,<sup>86</sup> made him uneasy about attempting to define 'house.'

A tour of the Protectorate convinced the Governor that some of the structures being referred to, and which would come under the provisions of the law, were not 'multiple family dwellings.' He abandoned the legislation as he was unable to see the scale of evasion which many of his political officers reported, and which would account for sufficient revenue to make worth while the unrest which would be caused by the definition of house.<sup>87</sup>

The Colonial Office did not consider Slater's decision the end of the issue, which was still being debated in the closing days of 1924.<sup>88</sup> Theoreti-

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85. P. R. O. 267/580 27 March 1919 #164 Wilkinson-Milner Bowden Ronietta District report

86. P. R. O. 267/597 5 October 1922 Slater-Churchill

87. Ibid.

88. P. R. O. 267/605 9 December 1924 #568 Slater-Amery; It is interesting to note that a report on the "Methods of Direct Taxation in British Tropical Africa, Part III West Africa" found that in Sierra Leone in 1950 tax was 'levied on a family basis, not on the individual hut or owner of huts. A house is any building used by a family; any building with more than one family is as many 'houses' as families that use it." African Studies Branch, Journal of African Administration No. 1 January 1951 p. 78

cally, from 1917 on, the tax was collected from each house in the Protectorate. However, there was nothing to guarantee that rulers and administrators alike would not show the same tendencies to use their own discretion and be guided by their own interests and senses of priorities as they had throughout the previous twenty-five years.

The interest of the Government in all considerations of the 'conchos' appeared to have been as much the desire to curtail any form of tax evasion as it was to obtain the revenue. Fairtlough and Maxwell were true to character and representative of these two factors in their determinations that units containing more than one family should pay more than one tax.

The fact that the Government was never able to get rid of even the untraditional, tax-evasion 'conchos' which undoubtedly existed in some areas indicates that such an undertaking ran against vested interests of the indigenous rulers who were expected to execute the policy. In such cases, where the alleged overcrowding in fact was merely a reflection of traditional family and marriage patterns, it was unlikely that the chiefs and headmen would interfere. Where tax evasion was occurring it stands to reason that rulers might profit more from extortion of bribes than by the increased commission of houses built by people they had forced into separate dwellings. Furthermore, there were government administrators who recognized the fact that of those evading the tax by 'multiple family dwellings' the chiefs were themselves the worst offenders.<sup>89</sup>

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89. P.R.O. 267/586 6 April 1920 #144 Wilkinson-Milner



### Who Paid the Tax?

Just as there was resistance to payment of the tax, so too there was evasion. It is not only likely that one such form was the grouping of more than one family under the same roof. It is also probable that this practice began in areas of greatest exposure to European influences and the cash economy, and spread as these factors did. Beyond considerations of resistance and evasion are ones which apply to the majority of the populace who were not involved in these activities. How was the tax actually paid and by whom?

It is highly doubtful that five shillings was duly collected from the owner of each house, leaving the question of 'conchos' aside. Existing records deal primarily with the assessment and collection systems, the total amounts received and differences from one year to the next, and flagrant cases of abuse and extortion. However, the latter category sheds some light on the issue of who did pay the tax. The scarcity of available material for this area of investigation derives no doubt as much from the inability of some colonial administrators to conceive of the question as from the reluctance of others to do so.

The overall ability of the Protectorate inhabitants to pay the tax was only questioned in several recorded instances. The economic hardships in Koinadugu were taken into account by King-Harmon during his 1901 tour, but

when raised by Berney the following year were dismissed as not being insurmountable.<sup>90</sup> Anderson was sharply criticised for pleading the case of the Panguma District people in 1903 who reportedly were having difficulty raising the money.<sup>91</sup> With the exception of occasional exemptions due to natural disasters the issue of whether or not each house owner could raise five shillings or its equivalent was not raised again during the first quarter of this century.

It is unlikely that the owners of each and every house did make a cash payment to the tax collector. In his economic study of what was known as the Sierra Leone-Guinea Plain, Howard maintains that most people were without cash employment. Although the sales of crops brought in some cash, he states that it was common for taxes on houses of people associated with a compound to be paid by the headman or other ranking persons.<sup>92</sup> All indications are that whether a compound were made up of the dwellings of wives or relatives, the owner paid a tax on each building irrespective of whether or not he would be reimbursed. It can be presumed that such repayments as were made assumed the form of goods or labour.

In view of the defects seen in the tax system it is most likely that in few, if any, chiefdoms were all who were subject to the five shilling levy in

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90. S. L. A. 3488 1902 6 August Acting D. C. Berney Koinadugu

91. S. L. A. C42 1904 16 July 1903 D. C. Anderson Panguma  
20 June 1903

92. Howard, op. cit. p. 436

actual fact called upon to pay it. For one thing, the difficulties many chiefs allegedly experienced in comprehending the assessment lists, and indeed the entire tax concept, would preclude a thorough and equitable collection from each house owner.

The same outlay of time and effort Protectorate administrators had complained of in canvassing chiefdoms would encourage a chief to collect most or all of the tax from the larger, more accessible villages and towns. Colonial administrators were not unaware of the tendency to 'levy more than is properly due from such villages as may appear to be in a better position to pay.'<sup>93</sup> The collection system Wallis described as operating in Banda-juma chiefdoms in 1902 was one in which 'the chiefs and clerks are very rarely guided by the number of houses in a town. When a chief sees a big town he puts a price on it and makes the people pay up.'<sup>94</sup>

Such observations were made in reference to extortionate practices and colonial officials did not dwell on the implications of lack of uniformity in the tax levy for the people allegedly and actually paying the tax. The short assessments of Chief Soko's towns indicate the ease with which large sums could be collected from densely populated areas. District Commissioners regarded such practices as criminal and deliberately employed to defraud the Government of tax money or to exact more than the assessed amount un-

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93. S. L. A. 273 1901 14 January Govr. King-Harmon

94. S. L. A. 3419 1902 2 August Acting D. C. Wallis Bandajuma

der the guise of collecting the Administration's tax. However true such suspicions may have been in the instances cited, the same methods were undoubtedly used by loyal and upstanding chiefs to collect the Government's tax and nothing more.

There need be no corrupt or criminal connotation attached to the suggestion that the Government tax was not uniformly levied by the indigenous rulers on all who were subject by law to pay. For the majority of the chiefs, the prime objective must have been to hand over to the District Commissioner at least the requisite amount. The necessity of collecting from all house owners might not have been recognized from a conceptual basis or adhered to from an expedient one. Over and above the consideration of the facility with which the total amount due could be collected from larger towns is the possibility that the burden of the tax fell on those areas or individuals judged by the headman or chief to be better able to pay than the less affluent or isolated villages and farms.

A study of the Sierra Leone Protectorate house tax during its first decades possibly raises more questions than it provides answers. The extent to which a chief undermined his traditional authority and position by the mere act of assessing and collecting for the Government cannot be isolated from the effects of other types of demands put upon an indigenous ruler.

It is not apparent that the imposition of the tax provided as much incentive to earn money for its payment as it might have an excuse for young

men to leave the chiefdoms to seek their fortunes, and incidentally their tax monies.<sup>95</sup> The effects of the tax requirement on the populace were most noticeable in instances of abuse. However, despite the spectacular nature of some of the cases, there were not, in real numbers, very many recorded. It can be suggested that given the nature of the tax system and the existence of customary tribute systems, the frequency of exploitation of a deliberate and extraordinary nature was small. It is more likely that the majority of the people who were assessed were victims of honest mistakes of indigenous authorities attempting to do the best they could with a system they neither comprehended much of the time nor within which they could feasibly work.

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95. See S. L. A. C42 1904 20 June 1903 Govr. King-Harmon; and Chapter II, footnotes, 121-123

## CHAPTER IV

THE JUDICIAL SYSTEM  
IN THE SIERRA LEONE PROTECTORATE

## Introduction

The judicial system introduced with the establishment of the Protectorate was a clear reflection of the British governing philosophy. The courts of those indigenous rulers incorporated in the Administration were recognized, and to be utilized in a modified form. Little or no effort was made to determine the workings of these courts, or indeed if they were the most binding courts among the diverse Protectorate peoples. Nevertheless the Courts of the Native Chiefs were regarded in a uniform manner, with certain types of cases removed from their jurisdiction and harsh punishments and practices curtailed for the protection of the populace. The preservation of the indigenous court system was sought to avoid the necessity of a large corps of Government judges and the disruption of the customary ways of life as little as possible. Removal of cases involving 'non-natives' from the indigenous courts was indicative of the Government's desire, among other things, to shield or extricate the protected peoples from the evil influences of outsiders, the Creoles in particular.

Whereas the administration of the house tax provided the greatest source of direct contact between district administrators and indigenous rulers, the administration of justice was that part of the system of British rule



which had the greatest effect on the majority of the Protectorate population. Although the judicial functions of secret societies remained officially unaltered, even their powers were potentially or actually affected by the formal constitution of Chiefs' Courts.<sup>1</sup> With the power of the Colonial Government behind him, the chieftom ruler in many cases may have had much greater command over his subjects than previously enjoyed. It was to his court alone that numerous cases could be taken for their settlement to be binding in the eyes of the Protectorate Administration. Enforcement of decisions made by indigenous authorities other than the chief was regarded as a subversion of his authority and detected offenders were punished accordingly. It therefore was the case that the populace was required to submit to the jurisdiction of the chief's court, or surreptitiously to resort to other, customary, sources for justice.

In addition to alterations within the indigenous judicial system, including the now restricted Chiefs' Courts, the Protectorate inhabitant was directly affected by British justice. For criminal offences he was subject to an alien law. As will be seen in the specific context of the Human Leopard Society investigations and trials, he was liable to have his house searched, be bound and carted off into unfamiliar surroundings and subjected to an inexplicable and seemingly interminable detention. It would be argumentative whether release from detention would be more or less confusing than

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1. See Chapter V, footnote 43

trial in an alien court with its incomprehensible proceedings.

### The Structure of the Protectorate Courts 1896-1903

The judicial responsibilities of the indigenous rulers and the District Commissioners remained virtually unchanged from those originally outlined in the Protectorate Ordinance of 1896 until the Protectorate Courts Jurisdiction Ordinance of 1903. Cardew's original Ordinance needed little major alteration in the jurisdictional delimitations beyond dealing with the controversial subject of land matters. Questions of land title 'arising exclusively among natives' were returned to the province of the Chiefs' Courts in 1897. It was not until the Protectorate Ordinance #33 of 1901 that a distinction was made within such cases, and those land disputes between two or more Paramount Chiefs were placed under the authority of the District Commissioner in his court. Beyond the land adjustment, and the assumption of the District Commissioner's Court of jurisdiction over debts claims by 'native' store license holders, the provisions of the Protectorate Ordinance #11 of 1897 which related to the courts, were largely points of clarification. The 1896 Ordinance had reserved to the District Commissioner in his court the power to deal with matters or offences relating to certain secret societies, cases arising out of faction or tribal fights and matters which were made offences by the provisions of the Ordinance itself. By implication these areas were beyond the jurisdiction of the Court of the Native Chief; by Ordinance #11 of 1897 they were specifically restricted from his review.

Although criminal cases involving 'natives' were to be heard and determined by the Court of the District Commissioner and Native Chiefs, in certain criminal cases when the person charged was a 'native,' the District Commissioner alone had jurisdiction. The wording of the original Ordinance was apparently considered unclear in this section, as indeed in many others, for it was revised in 1897 to specify that the offence had been 'committed by a native on a person not native.' This clarification was in keeping with the fact that any disputes, civil or criminal, which involved 'non-natives',<sup>2</sup> either amongst themselves or between them and 'natives' were not subject to the review of any court in which a 'Native Chief' sat.

Nowhere in the Protectorate Ordinances of 1896, 1897 or 1901 is there provision for appeal from the Courts of the Native Chiefs nor for the District Commissioner's supervision of those Courts. The latter was considered one of the major responsibilities of the district officer and must be presumed to have derived from the previously mentioned 'elastic clause' granting him authority to settle any matters which might lead to breaches of the peace or occasional disaffection.

The Courts of the District Commissioner and Native Chiefs, and of

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2. Protectorate Ordinance #20 of 1896 defines a 'native' as being "any member of the aboriginal races or tribes of Africa ordinarily resident within the Protectorate, or in the territories other than the Colony adjacent thereto." It will be noted that the distinction made between 'native' and 'non-native' by the law differed from that made by common usage. See Chapter I, footnote 48.

the District Commissioner were to be guided but not bound by the laws of the Colony and English legal procedure. In neither Court was legal counsel allowed except in matters punishable by death or by the special permission of the District Commissioner. Monthly returns of all cases which came before these Courts were to be forwarded to the Attorney General of the Colony. Recommendation of sentences of excessive fines or prison terms, or of death by the Court of the District Commissioner and Native Chiefs were to be reviewed by the Governor. However, the right of appeal existed only from the District Commissioner's Court, and only in cases involving 'non-natives.' Specifically, decisions in civil cases of fines over £25, and in criminal matters of large fines, prison<sup>3</sup> or death sentences could be appealed to the Supreme Court of the Colony as a Court of Appeal.

#### The Role of the District Commissioner in the Protectorate Judicial System

In addition to the powers and duties reserved to him by ordinance specification, the District Commissioner had several important responsibilities by implication. The supervision of the Chiefs' Courts will be discussed in another context, but the judicial relationship between the chiefs and the District Commissioner was of a wider scope than sessions of the Courts of the Native Chiefs, and of the District Commissioner and Native Chiefs.

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3. The £50, six month sentences beyond which appeals could be made in 1896 were lowered to £25 and three months by the 1897 Protectorate Ordinance.

It fell to the District Commissioner to recommend to the Governor the chiefs in his district to be commissioned to sit with him in their joint court. With the advent of the Circuit Court in 1903 the same pattern was used for the nomination of chiefs to act in that Court as assessor chiefs. Chiefs so singled out were placed in a position of power above other chiefs, and for better or worse, identified as being allied with the Government. In addition to the elevated status, assessor chiefs also received remuneration for their time, transportation, and general provisions.<sup>4</sup>

### Deposition of Chiefs

Section LXXIX of Ordinance #20 of 1896 made it lawful for the Governor, with the approval of the Secretary of State, to require the deposition of any Chief who was unfit for his position. Although it was not until 1910 that a Standing Instruction<sup>5</sup> specifically delegated the authority for this act to the District Commissioners, in practice, as the Governor's representatives in the Protectorate, these officials from the beginning had assumed responsibility for initiating and conducting deposition proceedings. The procedures described in the Instructions closely resemble those followed in the various recorded deposition cases in earlier years. This is despite the fact that

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4. S. L. A. 3408 1909 10 November Acting Circuit Court Judge Van der Meulen announcing the rejection of a proposal for a fixed scale of allowances for assessor chiefs by the District Commissioners.
  5. Standing Instruction #10 of 1910, 22 August Deposition of Chiefs (Appendix D)

prior to the formulating of the Instructions substantial efforts were made to determine the customary methods of removing chiefs. It is interesting to note that one recurring aspect of the findings is not mentioned in the Instructions: the reported fact that among some of the Protectorate peoples there was, short of death, no way to be rid of a chief however unpopular or oppressive.<sup>6</sup>

Not only was the concept of deposition of chiefs alien to many parts of the Protectorate, but also certain aspects of the proceedings. In particular the use of assessor chiefs was not considered, even by some Government officials, to be a customary or equitable measure. The authors of the Standing Instructions recognized that care should be taken in the selection of the chiefs who, with the District Commissioner, would hear a case and advise him in the decision. The assessors were to be of equal standing with the accused, and neither closely related to nor at serious variance with him. Although the objection of the accused chief to specific assessors was allowed for, in actual fact District Commissioners expressed skepticism of objections based on long-standing enmity. Although it was undoubtedly the case that chiefs sought the removal of assessors who would not be sympathetic to their cases, it is also likely that the heritage of competition and warfare left

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6. S. L. A. 1725 1909 19 April Govr. Probyn 14 June 1910 D. C. Fairtlough Ronietta; 12 April 1910 D. C. Warren Koinadugu; 2 April 1910 Acting D. C. Vergette Ronietta; 13 April 1910 D. C. Oswell Karene



conflicts between rulers with which the District Commissioners would not be familiar.

Beyond the issue of the person of the assessors is the more critical one of their very presence in passing judgement on other indigenous rulers in cases brought before the Circuit Court and in land disputes and depositions alike. It was argued that such a system was not unlike the custom before the advent of British rule of carrying disputes to neighbouring chiefs. Although this practice did occur<sup>7</sup> the fixing of it onto British legal procedure, with no recognition of customary ranking, constituted an alien and disruptive element in an already controversial process. Among the defects of the assessor system, seen even at the time, included the difficulty in obtaining reliable chiefs of the same ethnic origins and customary laws<sup>8</sup> no less than that of having the decision recognized by the people of the chiefdom. It was the opinion of Bowden, based on his then twelve years in the Protectorate, that the whole principle of trial by outside chiefs was a Government institution with no place in 'native law.' Calling in a stranger to decide matters would seem to the 'native' to be handing over authority to the intervening chief.<sup>9</sup> Although Bowden was referring to the authority of the accused chief being at the mercy

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7. See Chapter II, footnotes 54, 55

8. S. L. A. C218 1917 21 November D. C. Bowden Railway; 18 January 1918 D. C. Warren Railway; 19 January 1918 D. C. Hooker N. Sherbro

9. Pe(tition) 23 1915 26 November C. D. H. During 9 December D. C. Bowden, Railway minute on:

of an outsider, it might also be suggested that the authority of the District Commissioner would be diminished in the eyes of the populace by being apparently unable to make a decision without assistance.

'Wholesale bribery and corruption'<sup>10</sup> attended the use of assessor chiefs in deposition cases and in Circuit Court trials alike. Governor Wilkinson felt that the use of foreign chiefs did little to bring peace and harmony to the Protectorate,<sup>11</sup> but the use of assessors in the Circuit Court remained mandated by law, and in election, deposition, and boundary proceedings by Instruction.<sup>12</sup>

Review of deposition cases in the records shows a semblance of the procedures outlined in the Standing Instruction to have been more often than not adhered to. District Commissioners often conducted protracted preliminary investigations, and at the time of the actual enquiries allowed the accused chiefs to question statements and witnesses against himself. However, the fairness of the verdicts becomes questionable when unjust practices were found or presumed to have existed in the proceedings. It was evident that it did not matter if the District Commissioner followed the right steps if the wrong people were involved.

In view of the alien and corruptible nature of assessor chiefs, it can be argued that Bowden exercised poor judgement in basing his recommendation

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10. Ibid.

11. P.R.O. 267/577 17 March 1918 c. Wilkinson-Long

12. Section 40 Ordinance #6 of 1903; Appendices D and E

for the deposition of Paramount Chief Bockari of Nongowa on the opinion of the assessors, which admittedly diverged from his own.<sup>13</sup> As noted in other contexts, district officers were handicapped in their investigations by their lack of familiarity with the indigenous languages and their consequent dependence on interpreters. This latter class of Government officials were found on a variety of occasions to be susceptible to bribes and given to extortionate practices.<sup>14</sup>

There was no guarantee that Interpreters would correctly translate the evidence of witnesses; there was the further problem of securing the relevant and proper witnesses. In the course of the investigations into Fairtlough's administration of the Northern Sherbro District it was revealed that Court Messengers and Interpreters kept complaints from being brought forward.<sup>15</sup> It can be expected that similar treatment was given those who came forth to volunteer evidence contrary to any vested interests an Interpreter might have in a given case.

In investigations of crimes, district officers would in many cases detain for questioning and testifying people 'named' as eye-witnesses. Provided

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13. P.R.O. 267/603 19 March 1924 #106 Slater-Thomas Bowden enclosure See Chapter V footnote 55
  14. P.R.O. 267/468 16 April 1903 #83 King-Harmon-Chamberlain Maxwell enclosure; S. L. A. C201 1913 14 October Acting D.C. LeMesurier Railway; P.R.O. 267/574 24 January 1917 c. Wilkinson-Long Ellis C.O. minute on; See also Chapter II footnote 45, Chapter V footnote 103
  15. P.R.O. 267/574 24 January 1917 c. Wilkinson-Long 17 January Shorunkeh-Sawyer enclosure

that the legal capabilities of the district officer were great enough to detect perjury and contrived stories, valid witnesses might be obtained in this fashion. Certainly there were few safeguards against this defect in the Protectorate system of justice, or in any other then or since.

In disputed boundaries and chieftaincies, election, and depositions, the selection and reliability of witnesses was a serious issue over which the district administrator had potentially more control. Although the records identify the testifiers by their title or occupation, there are no indications whether the administrators heard anyone who came forward or made a conscious effort to choose those people most qualified to address the question of an old boundary, a succession line or an aspect of chiefdom history. There was no apparent effort to determine if the witnesses were considered worthy by the people, either by virtue of age, position, or having been present at some past event relevant to the case. With many of these issues one can only raise questions, and offer, amid speculations, skepticism, and contingencies, the observation of Page that nearly always 'in native quarrels, much mendacity is mixed up with some truth,'<sup>16</sup>

The implications of deposition proceedings for the indigenous ruler were many and serious, a fact admitted by the Government in the Standing Instruction. Although colonial administrators time and again warned that de-

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16. S. L. A. 4432 1904 8 November Govr. Probyn 1 January 1905  
D. C. Page Bandajuma

position was to be regarded as an extreme measure, the truth of the matter was that the judgement of Protectorate district officers to whom the initiative was left varied. Wilkinson's major objection to the system in the Sierra Leone Protectorate was that the 'personal element enters every case.'<sup>17</sup> Despite the fact that the personal element entered most of his considerations of his departmental and Protectorate staffs, Wilkinson had a valid point in this respect. It was in the context of the revelations of Fairtlough's arbitrary depositions that the Governor proposed legislative revisions which would have counteracted the tendency of 'certain District Commissioners being more ready than others to proceed against Paramount Chiefs.'<sup>18</sup> The disfavour with which Wilkinson was viewed at the Colonial Office can be measured by the fact that this timely and apparently sensible recommendation for an amendment based on the Gold Coast's deposition commission was rejected.

It would be of scant comfort to the chiefs deposed by Fairtlough in his later years in the Northern Sherbro District to know that it was the cumulative effect of their reported removals which led to the investigation of his administration. Although some were reinstated it can be seriously questioned whether the influence and position of many rulers would not be adversely affected by having their actions and authority challenged by the Government

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17. P.R.O. 267/588 12 December 1920 c. Wilkinson-Milner

18. Ibid.

and by being subjected to public trial and conviction.

The subsequent effectiveness of Paramount Chief Soko of Bongor, who was reinstated after being tried and found guilty of tax offences by the Circuit Court Judge, remains a matter of speculation. The records do not single him out for noteworthy behaviour of any nature. In the eyes of Maxwell that fact probably would justify his intervention on Soko's behalf, for the District Commissioner urged the Judge to fine the chief, not imprison him. The latter punishment 'would have made it almost impossible to keep Soko as chief and he is as satisfactory as the average Mendi chief.'<sup>19</sup>

Although the Instructions stated that 'it may be possible to allow a chief to remain in his chieftom and to exercise his powers up to the time of the enquiry'<sup>20</sup> the damaging effects complained of by Madam Humoynaha of living under suspicion are more likely to have been the case. She petitioned Governor Wilkinson that her position as Paramount Chief of the Nongowa Chieftom had been gravely diminished as a result of Bowden's prolonged investigations into complaints against her. As it had not been possible to conceal the enquiries the people allegedly had come to regard her as having no authority as the Government itself was in the process of questioning it.<sup>21</sup>

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- 19. S. L. A. 2641 1909 26 June Acting D. C. Bowden Railway  
15 November D. C. Maxwell Railway
  - 20. Standing Instruction #10 of 1910, 22 August Deposition of Chiefs  
(Appendix D)
  - 21. P. R. O. 267/577 17 March 1918 c. Wilkinson-Long enclosures;  
S. L. A. C218 1917 21 November D. C. Bowden Railway



Depositions were in all cases disruptive to the chiefdoms in which they occurred. No matter what the circumstances or how justifiable the investigation and removal of a ruler, there would always be disputing factions left in the wake of the proceedings. In proportion to the number of chiefs during the years under consideration, the average of two Paramount Chiefs removed in a year did not constitute a great number being affected by the deposition powers of the Governor. Early cases were often of those who were unable to cease exercising their former prerogatives. However, the remaining cases were based on complaints which ranged from over-assessment and embezzlement of taxes and using the position of chief and rights to tribute to commercial advantage, to drunkenness.

#### District Commissioners and Indigenous Languages

The inability of a district officer to comprehend or communicate in the dialects of the people he was dealing with caused a variety of problems which have already been discussed. The official attitude toward the acquisition of 'a knowledge of a native language' was a frequent topic over the years. A typically ambivalent policy emerged which was consistent with the principles on which the Protectorate Administration was founded. On the one hand government officials deplored being dependent on their allegedly inferior subordinates for translation of virtually every passing remark not uttered in English. On the other hand it was felt that District Commissioners had more

important things to concentrate on, and the learning of a 'native language' was best left to the Assistant District Commissioners.<sup>22</sup>

There were practical difficulties about making the knowledge of a language a condition of employment or even of promotion in multi-lingual West Africa. Within Sierra Leone itself it was felt that there were too many languages of too limited areas.<sup>23</sup> Although the retention of a political officer in one area for a period of time would have increased his knowledge of the local languages, such a decision would have been in opposition to the practice of rotating officials throughout the Protectorate.

The resultant decision, in 1908, to encourage English which was 'the language of the Colony and increasingly of the Protectorate'<sup>24</sup> was only partly a pragmatic decision, and ultimately only a temporary one. Although fluency in an indigenous language was undoubtedly considered desirable by most colonial administrators from a point of view of expediency and accuracy, it can be suggested that there was an underlying reluctance to descend to the level of the people they were ruling. Encouraging the Protectorate inhabitants to learn English was a policy which was short-lived and incompatible with the prevailing sentiments about educated Africans and contamination of

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22. P.R.O. 267/478 5 June 1905 #237 Probyn-Lyttleton Circuit Judge Hudson enclosure

23. *Ibid.*; P.R.O. 267/505 12 September 1908 #417 O. A. G. Haddon-Smith-Crewe

24. P.R.O. 267/505 12 September 1908 #417 O. A. G. Haddon-Smith-Crewe Colonial Office minutes on:

the indigenous population with European ways.

Gratuities based on language proficiency examinations had existed since 1905. The system was increasingly extended to include allowances for lower and higher standards and some conformity to standards which existed elsewhere in the Empire.

By 1910 those eligible for the language allowances and the requirements of the standards were detailed in a circular. Candidates for the Lower Standard were required only to translate orally twenty sentences dictated to them. However, in order to receive a gratuity for achieving the Higher Standard, a candidate had to compile a vocabulary of 300 words over and above those used in the ten written sentences of five words each. An oral exam was also administered to these candidates.<sup>25</sup>

Despite the financial incentive provided by this system, Sierra Leone remained 'the only West African country where the knowledge of one native language was not compulsory' in 1915,<sup>26</sup> and did not appear to have existed. There is a discrepancy between the allegations made by Wilkinson in 1916, that 'most members of the Protectorate administrative staff have useful working knowledge of one or more local dialects'<sup>27</sup> and the statements of district administrators at the mercy of interpreters.

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- 25. Sierra Leone Government Circular #75 26 September 1910
  - 26. P. R. O. 267/567 11 December 1915 #630 Merewether-Bonar-Law
  - 27. P. R. O. 267/571 18 May 1916 #191 Wilkinson-Bonar-Law

District Commissioners and Legal Training

Protectorate administrators undoubtedly felt more handicapped by their linguistic disabilities than by their generally scant and imperfect knowledge of English law and legal procedures. However, not unsurprisingly, certain of the provisions of the Protectorate Ordinances of 1896, 1897, and 1901 were criticised by members of the Freetown legal profession who were given to scrutinizing the methods of the Protectorate Administration. Although the Honourable A. J. Shorunkeh-Sawyer and his colleagues were often retained by clients in the Protectorate, it was not unusual for them to unsolicitedly defend what they considered to be the rights and interests of the Protectorate peoples against the Colonial Government.

The Freetown Bar Association was not alone in thinking that the judicial functions of the District Commissioner exceeded those justly carried out by one without 'a fair knowledge of the law.'<sup>28</sup> Although little was made of this situation during Cardew's administration, it can be supposed that the District Commissioner's lack of legal training was a factor in the reduction in 1897 of sentences he could impose without recourse to Freetown. From the time of King-Harmon's arrival the matter became one of increased concern in other respects. Attorney General Smyly alerted the new Governor to the problem of District Commissioners being unable to make the proper juris-

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28. P.R.O. 267/459 6 December 1901 c.41 King-Harmon-Chamberlain  
7 November Shorunkeh-Sawyer enclosure

dictional distinctions. As a result returns of the Court of the District Commissioner and Native Chiefs were not unlikely to show proceedings of sheep larceny which, involving only 'natives,' should have been under the authority of the Court of the Native Chief.<sup>29</sup>

As cases involving Creole and European traders, and residents in the Protectorate, came before the District Commissioner in his court, his legal deficiencies were not only more conspicuous, but also more often drawn to the attention of the authorities in Freetown and London. King-Harmon soon came to believe that complaints of 'crude and peculiar procedures and conclusions of District Commissioners in Courts' were well-founded. However noble might be their motives, their ignorance of the law and of legal procedure was considered by Governor and Attorney General alike to be 'an insuperable bar to (the District Commissioners) securing the confidence of the people in the Protectorate as dispensers of justice.'<sup>30</sup>

"In deference to the views of educated natives of the Colony, headed by Sir Samuel Lewis,"<sup>31</sup> the Governor decided to relieve District Commissioners of all jurisdiction in grave cases involving serious or capital punishment and to appoint a properly qualified judge to go on circuit and administer

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29. S. L. A. 4386 1901 no date Acting D. C. Greaves, Panguma; 7 October Attorney General Smyly

30. P. R. O. 267/459 6 December 1901 c. 41 King-Harmon-Chamberlain and Smyly enclosure

31. P. R. O. 267/475 9 January 1905 telegram Probyn-Lyttleton Antrobus minute on:

law with authority and capacity.<sup>32</sup> This plan was incorporated into the Protectorate Courts Jurisdiction Ordinance, #6 of 1903, which provided for the establishment of the Circuit Court. The Court of the District Commissioner and Native Chiefs ceased to have any jurisdiction; the civil authority of the Court of the District Commissioner was limited to land disputes between Paramount Chiefs, and any actions or suits involving 'non-natives' and all debt recoveries not in excess of £50. Criminal cases punishable by the maximum of three months imprisonment and £10 fine would be determined by the District Commissioner in his court. For a large number of serious criminal matters he had the authority to hold preliminary investigations and to discharge or commit the accused party for trial before the Circuit Court or the Supreme Court of the Colony. The enormity of this responsibility and its dependence on legal training will be closely examined in the context of the Human Leopard Society trials.

Appeal from the District Commissioner's Court was provided for 'any person, not being a native' in any criminal matter and in civil cases where fines above £10 had been imposed. 'Native' holders of store licenses also could appeal under the latter qualification. Monthly returns of all criminal proceedings before the District Commissioner were to be forwarded to the Attorney General. It was the opinion of one holder of that office, D. F. Wilbraham, that these returns should also include all civil cases. His pro-

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32. P.R.O. 267/459 6 December 1901 c. 41 King-Harmon-Chamberlain



posal to that effect was rejected by the then Chief Justice, Sir P. C. Smyly, on the grounds that the work of the Supreme Court was so great that the Judge would not have sufficient time to devote to the revision of the magisterial returns.<sup>33</sup>

Despite the fact that the Circuit Court, 'a premature system'<sup>34</sup> in the eyes of the Assistant Under-Secretary of State, had been necessitated by the lack of legal capabilities of the district administrators, their judicial functions beyond the precincts of the Circuit Court increased. Concessions Ordinances and the Protectorate Native Law Ordinance, #16 of 1905, required the District Commissioners to assume a variety of quasi-judicial functions ranging from attesting to deeds to supervising the Combined Courts.

Within four years of having numerous matters removed from their authority, District Commissioners received an increase in magisterial powers by the Protectorate Courts Jurisdiction Amendment, Ordinance #16 of 1907. Offences which were not recognized by customary law, which were the creation of statutory law such as cruelty to animals and violations of the Bush Fire Prevention Ordinance, were placed under the jurisdiction of the District Commissioner's Court. However, trial with assessors was extended to all of his court cases in 1913, whether dealing with civil or criminal, customary or statutory matters.<sup>35</sup>

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- 33. P.R.O. 267/544 24 December 1912 #550 Merewether-Harcourt  
3 December Attorney General Wilbraham speaking of 1909 enclosure
  - 34. P.R.O. 267/475 9 January 1905 telegram Probyn-Lyttleton  
Antrobus minute on:
  - 35. P.R.O. 267/551 20 August 1913 #387 Merewether-Harcourt

Proposals in 1918 for a Penal Code for the Protectorate reflect the fact that the situation had not improved over the years. The inability 'of the average District Commissioner to clearly grasp the law' allegedly hampered his administration. By misconstruing the wording, let alone the meaning, of a statute or an ordinance he reportedly was prevented in his executive capacity from going further and prosecuting where no actual offence had been committed. Greenwood, acting as Attorney General, referred also to records of trials, committals for trials, and depositions which showed no offence or ones of a different nature from the charges.<sup>36</sup> Injustices suffered by Protectorate inhabitants as a result of these defects in the legal system were considered by others of the Crown Legal Officers to be insignificant compared to those which they felt would result from a codification of the laws. The matter was still being debated in 1924.<sup>37</sup>

#### The Circuit Court

The jurisdiction of the Circuit Court was extensive and can best be seen in relationship to the diverse cases which came before it in connection with the Human Leopard Society. In any civil proceeding in which matters of 'native law or custom' were concerned, two or more assessor chiefs

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- 36. P.R.O. 267/578 24 August 1918 #275 Wilkinson-Long 16 April 1819 Acting Attorney General Greenwood enclosure
  - 37. P.R.O. 267/581 9 May 1919 #581 Wilkinson-Milner Puisne and Circuit Judge Parodi enclosure; P.R.O. 267/605 18 August 1924 #275 Slater-Thomas

could sit with the Judge and give their opinions. Criminal cases in which 'natives' were involved required the presence of such chiefs, but in neither instance were their decisions binding on the Judge.

The decisions of the Circuit Court Judge were final, a fact which met with displeasure among the Creole population in particular. Although the Judge was of the Supreme Court of the Colony and to be guided by the practices and procedures of that Court, members of the non-indigenous Protectorate population apparently did not regard the justice meted out by the Circuit Court Judge as being on the same level with that of a jury-assisted judge in a Colony court bound by English law.

As seen subsequently in the case of D. F. Wilberforce, a British subject who was a Paramount Chief in the Protectorate, certain criminal cases could be committed by the District Commissioner for trial before the Supreme Court. The difficulty arose when these Government administrators, lacking the knowledge or experience to make the distinction, wrongfully assigned cases to the Circuit Court. At best such mistakes exposed the Government to charges of unlawful detention; often it meant a trial or mistrial in the Circuit Court before an alert barrister would take on the case of those subject to British law in the Protectorate who were less legally astute than the likes of Wilberforce. It is not unreasonable to suggest, especially in view of the fact that District Commissioners were used as Circuit Judges on occasion, that some cases were settled in the Circuit Court which were beyond

its jurisdiction.

Human Leopard Society cases involving both British subjects and peoples indigenous to the Protectorate presented such difficulties as holding separate trials with the same witnesses. Ultimately, as will be discussed further, the problem was solved by the creation of a Special Commission Court with wider jurisdiction and powers than the Circuit Court.

A petition to His Most Gracious Majesty George the Fifth from the National Congress of British West Africa in 1920 included several grievances concerning the Courts which echoed complaints made over the years in Sierra Leone. The absence of appeal from the 'highest Aboriginal Court,' which in the case of Sierra Leone would be the Circuit Court, and of trials without a jury, particularly in capital offences, were considered 'inimical to the interests of the people.'<sup>38</sup>

At the end of the first year of circuits, Protectorate administrators and Circuit Judge Packard submitted their evaluation of the new judicial system. Among the advantages cited were those of exposing Paramount Chiefs to English Court procedures and availing the accused and the administrators alike of expert legal knowledge and proceedings. The fact of their position being diminished in the eyes of Creoles, Paramount Chiefs, and the

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38. The HUMBLE PETITION of the National Congress of British West Africa by its Delegates now in London to HIS MOST GRACIOUS MAJESTY GEORGE THE FIFTH ... 19 October 1920 (document in the possession of this author)

populace was of more apparent concern to district administrators than the double work load of preliminary hearings and Circuit trials and difficulties in keeping witnesses for the latter.<sup>39</sup>

The District Commissioners were not alone in perceiving a general belief that the Government had placed the Circuit Judge over them. Packard, upon learning this in conversation with various chiefs, attempted to explain the situation to the rulers. However, he was skeptical of their understanding of the District Commissioner's position as 'the English theory of the separation of judicial and executive powers is entirely novel to the natives and contrary to all their experiences.'<sup>40</sup> Although there is no indication whether or not it took the people the 'year or two to comprehend it,' Packard's assumption that such a prevalent opinion might interfere with the work of the officers was borne out by their statements.

The Creoles purportedly viewed the establishment of the Circuit Court as an expression by the Government of lack of confidence in its 'incompetent' Protectorate administrators.<sup>41</sup> Oswell reported from the Karene District that chiefs did not respond as rapidly to orders or summonses, nor kept the roads

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39. S. L. A. 2033 1904 14 May Acting Circuit Judge Packard;  
S. L. A. C111 1904 21 October C. S. Haddon-Smith;  
P. R. O. 267/473 7 December 1904 #307 Probyn-Lyttleton enclosures
40. S. L. A. 2033 1904 14 May Acting Circuit Court Judge Packard
41. S. L. A. C111 1904 21 October C. S. Haddon-Smith 8 November  
Acting D. C. Cramer Bandajuma; 7 November Acting D. C. Oswell  
Karene

cleared.<sup>42</sup> Whether these comments were accurate assessments of the reactions of the Protectorate people or a reflection of the injured egos of the District Commissioners, the fact remains that such observations did not occur again in the records.

Some logistic defects in the Circuit Court System were considered to be temporary. Others hopefully would be solved by the passage of Ordinance #33 of 1905 which amended the Protectorate Courts Jurisdiction Ordinance to allow the Governor to appoint District Commissioners to act for the Circuit Judge. It was felt that such a provision would make possible an earlier trial in cases where delays would be damaging to the case, and would also aid the prestige of the District Commissioners.<sup>43</sup>

It appears contradictory that at the same time that Probyn was legislating for District Commissioners to be able to judge cases in the Circuit Court, he was also advising that they not prosecute cases in that court, but only collect evidence and order witnesses.<sup>44</sup> Neither his suggestions nor the warnings of the Legal Assistant to the Secretary of State were heeded. District Commissioners were 'appointed as a matter of course without regard to

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42. S. L. A. C111 1904 21 October C. S. Haddon-Smith 7 November  
Acting D. C. Oswald Karene

43. P. R. O. 267/473 14 December 1904 #307 Probyn-Lyttleton

44. P. R. O. 267/478 3 July 1905 #298 Probyn-Lyttleton



legal knowledge and competency'<sup>45</sup> as Risley had feared. Circuit Judge Hudson had specific condemnations of the preliminary hearings and prosecutions conducted by Page and Fairtlough in critical Human Leopard Society murder cases.<sup>46</sup> They were poor opponents for such able legal practitioners as Shorunkeh-Sawyerr and Thompson in submitting admissible evidence, handling evidence and presenting the case for the Crown.

### Combined Courts

Before the Protectorate was declared, 'non-natives' settling in a chiefdom had no effective authority to whom they could appeal other than the chief. Therefore they found it judicious to recognize that authority in many instances. With the passing of the Protectorate Ordinances these residents and settlers who were not indigenous to a chiefdom were placed outside the authority of the chiefs, as the Ordinances expressly excluded them from the jurisdiction of the Courts of the Native Chiefs.

The Ordinances provided the Creoles with a legal means of collecting debts, but also placed them under government.<sup>47</sup> The relationship between the people of a chiefdom, and 'strangers' or 'non-natives' was significantly

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45. P. R. O. 267/484 8 June 1906 #156 Probyn-Elgin Risley minute on: Judge Townsend, unable to do his 1912 Koinadugu circuit, advised the Governor to have whomever relieved Stanley be Presiding Judge. Mr. Bailey, the replacement, had only that year been promoted from Assistant District Commissioner. S. L. A. C(ircuit) J(udge) #8 1912 7 March W. R. Townsend

46. See Chapter V, footnotes 113, 114

47. Fyfe, History op. cit. p. 551

altered. Some of the latter took advantage of their new position to ignore the chiefs altogether. Others acted on the assumption that they could pursue courses of dishonest practices and intimidation without fear of being reported to the District Commissioner who alone had legal redress for such matters.

However, the increased volume of complaints and disputes arising from the presence of a growing number of settlers and residents in the Protectorate was a factor which contributed to the creation of the Circuit Court. The Circuit Court neither succeeded in alleviating the District Commissioner's workload nor in improving the situations which were causing these disputes and grievances.

The records of the Circuit Court for any given year show large numbers of cases between Protectorate peoples and non-indigenous settlers and residents. Seven main Paramount Chiefs representing 'all the races and tribes' of the Panguma District met with Anderson in 1905. Among the issues discussed was the fact that the chiefs 'were powerless to expel traders from their towns as the traders would refuse and threaten to report the chief for spoiling trade.' It was Anderson's opinion that 'there is no doubt that the Sierra Leone traders have made the chiefs greatly afraid by their threats, and the chiefs are losing authority in their own towns.'<sup>48</sup>

The attempts of the Protectorate Native Law of 1905, Ordinance #16, to regulate the affairs between these groups, and consequently reduce the

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48. S. L. A. 4042 1904 2 May 1905 D. C. Anderson Panguma

amount of friction and conflict between them assumed a variety of forms, including provision for Combined Courts. Any Paramount Chief in whose chiefdom a considerable number of Europeans, Sierra Leone traders, missionaries or others non-indigenous to the Protectorate had settled or were residing could apply to the District Commissioner to appoint one or more of them to sit as a joint judge with the chief in civil disputes which arose between them and the members of his chiefdom. The jurisdiction of these Combined Courts was limited to cases where the claim, fine, or damages did not exceed £10, and in which the title to land was not involved.

During the first two decades the Combined Courts never worked successfully in the majority of the places where they were instituted. The initial problem to be overcome was the inability of the chiefs to comprehend their right to apply for a joint judge. Thereafter, failures were unanimously attributed to the inability of either side to realize and use the powers of the court to the fullest effect and no further.<sup>49</sup> Bowden and Warren both reported gradual improvement over the years, particularly in the matters of jurisdiction. Such progress, coupled with the fact that the Combined Courts 'relieved the District Commissioner of trivial cases,'<sup>50</sup> meant that no serious conside-

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49. P.R.O. 267/531 5 May 1911 #238 Merewether-Harcourt Bowden Ronietta District report; P.R.O. 267/565 28 April 1915 #198 Merewether-Harcourt Hooker Karene District report; S. L. A. 3063 1907 24 July D.C. Page N. Sherbro
50. P.R.O. 267/574 16 April 1917 #93 Wilkinson-Long Warren Karene District report; P.R.O. 267/577 20 March 1918 #76 Wilkinson-Long Bowden Ronietta District report

ration was given to abolishing these courts.

Some areas were not receptive to Combined Courts as the 'non-natives' could not agree to one of them being in a high position;<sup>51</sup> often other means were being employed to settle conflicts. Several of the recorded extra-legal methods for solving disputes between indigenous and non-indigenous parties included settlers' associations in some towns along the Railway, and Bowden's use of the legally defunct Court of the District Commissioner and Native Chief.

As Northern Provincial Commissioner, Bowden used his wide latitude of initiative to include in this court all transactions the District Commissioners, chiefs and 'non-natives' conducted together. The most important branch of work was 'the regulating of intercourse of native and non-native, especially in the sub-districts of Port Lokko and Bombali where there are large non-native settlements.'<sup>52</sup> Even less information is available about the settlers associations reported by both Maxwell and Warren to have existed in some of the large trading centres in the Railway District since at least 1911. The 'general informal cooperation between settlers, and with chiefs,'<sup>53</sup> which Maxwell felt in 1908 was part of the reason no Combined Courts had been called for,

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- 51. P.R.O. 267/503 16 April 1908 #140 Probyn-Elgin Maxwell  
Railway District report
  - 52. P.R.O. 267/586 6 April 1902 #144 Wilkinson-Milner Bowden  
Northern Province report
  - 53. P.R.O. 267/503 16 April 1908 #140 Probyn-Elgin Maxwell  
Railway District report

presumably evolved to these formalized associations. Though without legal standing, these associations were deemed of great value in settling petty disputes both among settlers and between settlers and 'natives.'<sup>54</sup>

Although records of neither category of quasi -legal forum are apparently available for examination, it can be suggested that their measures of success were largely if not wholly due to the absence of the statutory restrictions which hampered and confused the joint judges of Combined Courts.

### The Courts of the Native Chiefs

Knowledge of the Chiefs' Courts is derived largely from the opinions and 'observations' of the colonial administrators provided by annual district reports and occasional enquiries into the workings of these courts. Although the records do not state the District Commissioner's presence in chiefs' 'barris,' the fact of his personally attending sessions of Chiefs' Courts can safely be assumed from the familiar tones in which the proceedings and customs of these courts are described. District administrators were continually claiming the 'supervision' of these courts as their most important duty.<sup>55</sup> Presumably this was in reference to visiting them while on patrol and not solely to an overview of their activities from Headquarters.

The assessment of the Chiefs' Courts based largely on information so

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- 54. P.R.O. 267/532 1 June 1911 #267 Probyn-Crewe Maxwell  
Railway District report
  - 55. P.R.O. 267/540 15 June 1912 #244 Merewether-Harcourt  
Maxwell Railway District report

acquired is not only biased from being the Government's point of view, but also of questionable accuracy. The question must be raised if the Chiefs' Court sessions seen by District Commissioners were typical of the cases and decisions normally found in those courts. It is possible that in places where adjudication of disputes was done by some other customary body, such as the inner circles of a secret society, the cases conducted before the chief in the presence of the District Commissioner essentially were contrived for his benefit. On the other hand, chiefs who had continued to exercise more wide-ranging jurisdiction and to inflict more harsh punishments than the Protectorate Administration allowed might be likely to modify their behavior when officials of the Government were in attendance.

The practices of the Chiefs' Courts described by petitioners against a chief's decision, or revealed in appeals from the Chiefs' Courts and in investigations of chiefly abuses are unreliable for giving a true image of the average Chiefs' Courts. However, the value of evidence thus acquired should not be totally dismissed. Stanley, as Northern Provincial Commissioner in 1921, noted that appeals to the District Commissioners tended to increase in areas most in touch with trade centres where 'the natives were more sophisticated.'<sup>56</sup> As a result he discounted a survey of appeals as an accurate means of assessing the Chiefs' Courts.

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56. P.R.O. 267/591 22 June 1921 #312 O. A. G. Maxwell-Churchill  
Stanley Northern Province report



The full range of personality and philosophical differences among the District Commissioners is most apparent in the ways in which they viewed the usefulness and the workings of these courts. Warren was consistently negative in his opinions, while Maxwell provided realistic and constructive criticisms. Much of the discrepancy between divergent points of view stemmed from the fact that some colonial administrators considered their role as being to guard against oppression and others as being to instill the values, if not the practices, of the English legal system.

Bowden complained of excessive fees and fines, endless delays and adjournments to extract additional fees; but underlying these and other evils deriving from the alleged lack of established procedure was his objection to the alien concept of the indigenous court. It was his interpretation that it was a court of compensation, not of justice, whereby an offence was made good by money and wrongs were not punished.<sup>57</sup> Administrators such as he tended to see their roles in a different light from that of men like Wallis who accepted the deficiencies of the chief's court but appreciated its merits.<sup>58</sup>

The issue of the powers of the District Commissioners over the Paramount Chiefs revealed the attitudes of the administrators toward the indigenous ruling system in general and the judicial system in particular. Fair-

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57. P.R.O. 267/542 17 September 1912 #406 O.A.G. Haddon-Smith-Harcourt Bowden enclosure

58. Wallis, C. B. "In the Court of the Native Chiefs in Mendeland" Journal of the Africa Society XVI July 1905 p. 405

lough considered himself handicapped without any measure which would 'inflict summary punishment before the assembled people'<sup>59</sup> on a chief who had abused his judicial powers. The power to fine lost effect through the delays of getting the Governor's approval; the right to recommend deposition was considered even by Fairtlough to be extreme in such cases. Relying on the power to take over cases from the Court of the Native Chiefs, vested in the District Commissioners by Ordinance #33 of 1905, presented practical difficulties of not having the time to review and hear large numbers of cases.

When the defects of the Chiefs' Courts were weighed against the implications of either reforming or abolishing them, the inevitable conclusion reached was that self-government was best, with the Government only to give adequate supervision to prevent oppression.<sup>60</sup>

The manners in which the chiefs used their judicial powers varied with 'the wisdom and integrity of the chief and the backward and forward state of development of the chieftdom and the people.'<sup>61</sup> The early reports of chiefs and headmen hearing cases outside their jurisdiction, and the continual ones of rulers failing to use the full extent of their powers and to enforce their decisions were not made in the tones of condemnation used for chiefs who were

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- 59. P.R.O. 267/542 17 September 1912 #406 O.A.G. Haddon-Smith-Harcourt Fairtlough enclosure
  - 60. P.R.O. 267/542 17 September 1912 #406 O.A.G. Haddon-Smith-Harcourt Colonial Office minutes on:
  - 61. P.R.O. 267/548 28 February 1913 #91 Merewether-Harcourt Bowden Ronietta District report

ambitious or corrupt. Administrators were more prepared to make allowances for faults of the system or uncontrollable incompetence than they were for abuses of the system and avarice. As a result the issues most frequently discussed in annual district reports and periodic assessments of the courts were those of fines, fees and 'betting.'

The system of 'betting' between litigants was deplored on the grounds that it either kept the poor from getting a case heard or went so high that one was obliged to borrow.<sup>62</sup> Efforts to discourage this practice seemingly were not successful as references persist throughout the period under review. Not all administrators agreed as to the evils of this and other practices of the chief in his court. Stanley reported in 1916 that 'betting' still continued in Mende and Temne courts, and although this 'very old practice' built trivial cases into something big he did not judge that it impeded justice.<sup>63</sup>

The system of bringing a case before a ruler by depositing a fee was open to bribery and corruption however rooted in customary law and procedure. Increasingly frequent references were made to exorbitant fees making it difficult for people to get redress, and to the court being regarded prima-

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62. P.R.O. 267/484 3 April 1906 #80 Probyn-Elgin Paling Bandajuma District report; P.R.O. 267/503 16 April 1908 #140 Probyn-Elgin Maxwell Railway District report
63. P.R.O. 267/571 12 May 1916 #182 Merewether-Bonar-Law Stanley Ronietta District report

rily as a source of revenue.<sup>64</sup> The latter accusation was acknowledged by Government officials as being a valid means for the chief to uphold his position, many of the traditional ways of acquiring wealth being forbidden him under British rule. However, the tendency, especially in the less remote areas, for chiefs to abuse the systems of fees, and fines, was one of greater concern as the complaints became more common.

Profit was made from fees not only by setting high prices on cases but also by postponements and adjournments, and consequent demands for new fees. Excessive fines were another source of grievance among the Protectorate people and administrators. However, various recommendations to restrict or remove the chief's power to fine were turned down in view of the light shed on the custom by Fairtlough. The complaint Bowden voiced on behalf of appellants to his court was that innocent relatives were fined if the guilty party could not pay the fine.<sup>65</sup> Fairtlough placed this fact in the perspective of the family to whom the culprit then had to make good. It was his observation that this system, with its responsibilities and obligations, was a deterrent to crime and 'to break it down would be to eliminate all that is

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64. P.R.O. 267/540 17 May 1912 #210 Merewether-Harcourt Warren Karene District report; P.R.O. 267/565 28 April 1915 #198 Merewether-Harcourt Hooker Karene District report; P.R.O. 267/571 12 May 1916 #182 Merewether-Bonar-Law Stanley Ronietta District report
65. P.R.O. 267/542 17 September 1912 #406 O. A. G. Haddon-Smith-Harcourt Bowden enclosure

good in the African's constitution.'<sup>66</sup>

From differences shown in any given year between the reported usefulness and effectiveness of Chiefs' Courts in the various districts a pattern of regional and ethnic distinctions emerge despite changes of personnel. If District Commissioners could agree on nothing else in their evaluations of these courts, they apparently recognized as a common denominator the effects of trade, the Railway, and non-indigenous inhabitants of the Protectorate.

Upon transferring in 1916 to the Northern Sherbro District after four years in Koinadugu and one in Ronietta, Stanley expressed a comparison which the records clearly bear out: "Unlike the courts of Koinadugu, here as a rule the chiefs insist on substantial fees in civil cases and usually demand whole or part of the value of the property in dispute be brought into court for the more speedy enforcement of their decisions."<sup>67</sup> The reason was not hard to find for Stanley or many other District Commissioners who identified the bad influences of the 'non-natives whom the native regards as petty lawyers and is guided by their advice which usually is to not abide by the decision of the chief until he had appealed to the D. C.'<sup>68</sup> Whereas excessive fines and fees were characteristic of reports from the Railway Dis-

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66. P. R. O. 267/542 17 September 1912 #406 O. A. G. Haddon-Smith-Harcourt Fairtlough enclosure

67. S. L. A. C. S. 348 1917 19 September Secretariat 20 November D. C. Stanley N. Sherbro

68. Ibid.

trict, bribery and corruption in the Chiefs' Courts were rarely cited in Koinadugu. In addition, the volume of complaints and appeals to the District Commissioner was noticeably different from one region to the next. Despite his general low opinion of Chiefs' Courts, Colonel Warren could distinguish between those near trade centres and those further removed. He attributed the greater number of complaints from the former in Karene to 'intercourse with civilisation which decreases the native's respect for his own courts and disinclines him to accept his chief's decisions.'<sup>69</sup>

Based on his diverse experience in the Railway and Ronietta Districts, Bowden offered the assessment of the changes in the Chiefs' Court which was circulated among colonial administrators:

"Few complaints come from remote chiefdoms away from the railroad where the people are still content to abide by the findings of their own courts, and chiefs and principal men are unsophisticated and prepared to act on the lines of their forefathers. Chiefdoms nearer the railroad have been open to trade for a long time and in perpetual contact with strangers; this has led to a sense of right and wrong but not always on proper lines. Chiefs and principal men have too often increased in cunning rather than wisdom, and show a tendency to manipulate simple customary law to the advantage of themselves or their friends. Native customary law decisions often used to be made re: expediency rather than right and the individual was content to merge self in the community and not question such a criterion. Now the individual is beginning to think in terms of personal rights and wrongs and is no longer content with such an expression of opinion. Such a state of affairs is not transient but must increase and develop. It is essential

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69. P. R. O. 267/574 16 April 1917 #93 Wilkinson-Harcourt Warren Karene District report



that native courts take cognizance of it and move with it, for reform of the courts must come from within."<sup>70</sup>

Distinctions which were made between the ability of chiefs from different ethnic, or 'tribal,' groups to exercise their judicial powers centred mostly on the Temne. Hooker's designation of the weak chief being the curse of the 'Timini' country<sup>71</sup> was intended as an explanation of the frequent references he and other District Commissioners in the Karene District made to the excessive fees, and lack of enforcement of decisions in the Courts of the Native Chiefs. It might also be suggested that he had provided an indication of the fact that among the Temne the chief, however powerful, might not be the customary source of judicial power.

The implications for the position of the chief and for the judicial system of such a possibility are significant. In situations where the ruler's power was rooted in, for example, the Poro Society and was not dependent on his performance of a duty not his traditionally, his position would not be compromised by the charade of judging cases in a Court of the Native Chief. However, if in order to carry out duties imposed by the Protectorate Ordinances a chief tried to usurp the power of an indigenous institution in which he had no major role, he would risk his effectiveness for Government purposes and whatever his customary influence he had enjoyed.

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70. P. R. O. 267/548 28 February 1913 #91 Merewether-Harcourt  
Bowden Ronietta District report

71. P. R. O. 267/565 28 April 1915 #198 Merewether-Harcourt  
Hooker Karene District report

Chiefs who were within their rights hearing cases and making decisions were not necessarily unaffected by the advent of British rule. The effects of trade, traders, the desire for revenue, and some specific alterations of his jurisdiction and powers have already been examined. His authority was further undermined by the 1905 Protectorate Courts Jurisdiction Amendment Ordinance which provided for District Commissioners to remove from the chief's jurisdiction any case in which the latter was deemed interested or unlikely to give a fair and impartial trial. At the same time it was made legal for chiefs to send people to the district gaol. Although District Commissioners hailed this innovation, it could be considered an indication of further deterioration of the chief's power in his court.

The fact must not be lost sight of that the amount of authority and respect individual chiefs commanded in their own rights greatly affected the record of their courts. Such a fact would be especially likely in those areas where men of wealth, military prowess, or other influence were able to rise to a ruling position. With rare exceptions, the records do not single out these rulers in terms of the effectiveness and viability of their courts. As a consequence it is difficult to assess the successes and failures of innovation for failure might be due to the weakness of the chief or his position, and successes equally attributable to the personal strength of a chief, not the universal merits of the new method.

Shuffrey, District Commissioner in Northern Sherbro, reported in

1919 that the chief of Imperri had introduced a written code of court procedure with the object of preventing certain common abuses. The government officer was astute enough to realize that although the rules were 'simple and effective, general adoption would be premature.'<sup>72</sup> It might be noted at this point that an earlier administrator had been successfully taken in by an impressive compilation of 'Laws Governing The Native Court.'

In 1904 Warren gave permission for Momolu Massaquoi, Paramount Chief of Gallinas, to hold a Poro to 'confirm' these laws and to explain them to the people.<sup>73</sup> Both the document itself and the fact of the Poro being exploited for extortionate purposes by this chief, who was deposed two years later for abuse of his position, point to its being a contrivance to impress the District Commissioner and not a legitimate innovation of the indigenous judicial system.

Customary recourse to outside chiefs was cited as the basis for the system of assessor chiefs, and for the 'native appeal courts' set up by H. G. Warren. His objection to an appellant having to pay court fees both to his own chief and to the chiefs to whom the District Commissioner referred the case led him to recommend having a paid chief for every tribe in the Karene District. Finna Baka was the first whose annual present was increased so

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72. P.R.O. 267/582 11 July 1919 #332 O.A.G. Evelyn-Milner Shuffrey Northern Sherbro District report

73. S.L.A. C61 1904 5 May Acting D.C. Wallis Sherbro 20 March 1904 M. Massaquoi; 17 May D.C. Warren Bandajuma

that he would undertake appeal cases without taking court fees.<sup>74</sup> The records do not show that this method was extended to a representative ruler of each ethnic group in the Karene District or any subsequent districts under Warren's administration. Neither is there any indication that the chief did not continue to collect fees.

Bowden used his initiative to tamper with the judicial system but did so knowing the adverse effects of attempting to apply European remedies to the defects within the indigenous court. However in certain cases he found that with caution two or three chiefs 'of good repute' could be appointed to hear cases in lieu of the District Commissioner. No pretence of such a 'Native Appeal Court' being rooted in customary practice was made by Bowden although Wilkinson was inclined to exaggerate both its origins and usefulness. Bowden, who had introduced this type of court in several districts, regarded it purely as an experiment and a convenience, as it freed him 'for more interesting pursuits.'<sup>75</sup> Its application was limited as it embodied a singularly European idea not readily understood or accepted by the inhabitants of many areas. Seemingly, this appeal court was better received in the Karene District than Ronietta where Bowden felt that it needed constant backing as it enjoyed little respect or power in the eyes of the people.<sup>76</sup>

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74. S. L. A. 2250 1909 17 May D. C. Warren Karene

75. P. R. O. 267/586 6 April 1920 #144 Wilkinson-Milner Bowden  
Karene District report

76. P. R. O. 267/580 27 March 1919 #164 Wilkinson-Milner Bowden  
Ronietta District report

Ideally, such should have been the criterion for the assessment of each indigenous court.

It is ironic that British administrators criticized the absence of an established code of law among the peoples of the Protectorate. The consequent interpretation of customary law being left to the individual chief's 'caprice,' or judgement, was not at all dissimilar to the manner of justice available to the British subjects. Some would even say that Bowden's complaint that all people were not equal in the eyes of the 'native court',<sup>77</sup> could be applied to courts outside the Protectorate of Sierra Leone.

In the final analysis, administrators might deplore the practices of the indigenous court but they were not in a position nor of an inclination to do away with it. The fact that all courts have some abuses and defects was highlighted by the difficulties experienced in the use of English law and legal proceedings in the Protectorate. The deficiencies of this system were most clearly evident in the context of the investigations and trials of persons allegedly associated with the Human Leopard Society.

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77. P.R.O. 267/542 17 September 1912 #406 O.A.G. Haddon-Smith  
Harcourt Bowden enclosure

## CHAPTER V

SECRET SOCIETIES  
AND THE PROTECTORATE ADMINISTRATION

## Introduction

Among Protectorate peoples there existed secret societies with, to varying degrees, political, social and religious significance. Such societies perhaps can be loosely paralleled to the Masonic lodges in Freetown: non-members knew they existed but only the initiated could provide accurate accounts of meaning, procedure and activities. I wish to deal with two types of the secret societies which British colonial administrators encountered in the Sierra Leone Protectorate: the Poro Society; and those societies whose alleged purpose was to secure human flesh, the Human Leopard, Human Alligator and Human Baboon Societies.

Much has been written on the subject of the true purposes for which these societies existed, both at the time and subsequently. This study is to explore the political significance of these societies and how the colonial administrators viewed and treated them. The resultant effects of such attitudes and action on the indigenous power structure and on the people of the Sierra Leone Protectorate also will be considered.

The exclusion from consideration of other secret societies of the first category is deliberate. With the exception of the Ragbenle of the Temne, none of them constituted the combined political, economic, social,



and religious force of the Poro. Although the Ragbenle will not be dealt with separately it would appear from the contemporary observations of Northcote Thomas and the more recent ones of McCulloch that the political generalisations concerning the Poro are equally applicable to the Ragbenle in those areas where it predominated over the Poro.

### Poro

The general principle underlying the government of the Protectorate was, according to Standing Instruction #9 of 1910:

"that the administration of the Protectorate chiefdoms is left in the hands of the paramount chiefs: native law and custom regulate the authority and powers of the paramount chiefs, and distinguish between the powers such chiefs can exercise 'suo moto' and those larger powers which can only be exercised by a chief after he has consulted with the principal men of the chiefdom." <sup>1</sup>

The policies and practices of administering the Sierra Leone Protectorate from 1896 to the date of the cited document were consistent with its stated principle. Some of the difficulties encountered in attempting to determine the role of the Poro Society in the indigenous political structure derive from such non-specific frames of reference of which these 'native law and custom', 'larger powers' and 'principal men' are typical. Ordinances

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1. Sierra Leone Governor's Standing Instruction #9 of 1910 22 August

identify 'Paramount Chiefs,' 'Chiefs,'<sup>2</sup> and 'Tribal Authority,'<sup>3</sup> but leave undefined the 'poro' over whose 'laws' the District Commissioners had jurisdiction when such laws were the origin of disputes.<sup>4</sup>

In none of the Ordinances pertaining to the Protectorate is the Poro Society referred to in the same context with the Tribal Authorities, the powers of the chiefs, nor native laws and customs.<sup>5</sup> No Standing Instructions nor Government laws imply a relation between the rarely-cited Poro and the individuals and institutions which were the basis of indirect rule in the Protectorate.

Background of Relationships  
Between the Poro Society and the Government

It is not possible to contend that British administrators either inadvertently overlooked the Poro or failed to identify it as a significant power

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2. Protectorate Ordinances #20 of 1896 and #33 of 1901, section II of Part I: "Paramount Chief is a chief who is not subordinate in his ordinary jurisdiction to any other chief." "'Chief' means and includes a Paramount Chief and such other chiefs or headsmen as are by native customary law the councillors or assistances of any such Paramount Chief."
  3. 'Tribal Authority' was not defined until the Protectorate Native Law #16 of 1905. Section 58 contains the description: "the expression 'Tribal Authority' when used in this Ordinance shall, if not inconsistent in the context, mean Paramount Chiefs and their Councillors and men of note or Sub-Chiefs and their councillors and men of note." Subsequent ordinances, such as the 1912 Forestry and 1913 Palm Oil Concession Ordinances, use the 1905 definition of 'Tribal Authority.'
  4. Protectorate Ordinances #20 of 1896, section 71; and #33 of 1901, section 101
  5. The vesting in the District Commissioner of jurisdiction over disputes originating from Poro laws should be considered the exception.

factor when they were formulating the plan for the administration of a Protectorate over the Sierra Leone hinterland. At various times throughout the 1800's the Freetown Government had been enlisted to combat trade restrictions placed by the Poro Society which purportedly interfered with trading interests. In such cases pressure was brought to bear on the Government by those commercial concerns which were the targets of the Poros to intervene on behalf of the merchants and traders.

Fyfe cites among others, several Poros on timber, in the areas of the Rokelle and Bumpe Rivers, which prompted the merchants to enlist the aid of government troops. Furthermore, the report that an 1882 Poro ostensibly held to crown a king in the lower Jong area was a cover to boycott Creole trade resulted in a series of events which culminated in bloodshed.<sup>6</sup> It was readily apparent from these and other encounters with the Poro Society that it exercised a great deal of influence.

Such incidents caused the Government to have their Travelling Commissioners making treaties in the early 1890's to impress upon the chiefs that they were still free agents, but at the same time to warn them against using Poro to restrict trade. It was also clear to observers that the Poro Society had been instrumental in organising the Mende Uprising in the 1898 Hut Tax Revolt and in maintaining the secrecy which surrounded its plans. Consequently, the various contacts the Government had with the Poro during

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6. Fyfe, op. cit. pp. 226, 298, 439

the 19th century could only have indicated the existence of an institution of significant power and influence over a large number of Protectorate peoples. Yet only negative recognition was given to it in the forms of the previously mentioned jurisdictional delimitation and an 1897 Ordinance prohibiting the use of the Poro to restrict commerce.<sup>7</sup>

Administrators in Sierra Leone justified the Ordinance on the grounds that 'the Poro against gathering produce was destructive to trade and had a pernicious effect on prosperity.'<sup>8</sup> Alldridge maintained that a Poro prevented the gathering of fruit at the proper season, decreased manufacturing of palm oil which caused the reduced consumption of imported goods and thus affected the revenue of the Colony.<sup>9</sup> Although contemporary sources dealt with the Ordinance restricting the Poro primarily in terms of its economic implications there were passing references to the political fact of removing this power from the chiefs.

Beneath the level of official non-recognition of the Poro Society there existed an assortment of connections between the Poro and the Protectorate Administration. It is instructive to study the various ways in which the Poro was viewed before discussing the likely explanations for the Government's policy toward the Society.

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7. Ordinance #14 of 1897

8. P.R.O. 267/478 15 June 1905 #262 Probyn - Lyttleton Wallis enclosure

9. Alldridge, T. J. The Sherbro and Its Hinterlands (London, 1901) p. 305

In light of the published accounts of the significance and uses of the Poro Society these aspects will be considered only where they bear upon the manners in which the Sierra Leone Government regarded the Poro Society and the consequent effects of the role of the Poro in the indigenous political structure.

The arrival of Governor Leslie Probyn at the end of 1904 marked the renewal of recorded efforts to enforce the 1897 Ordinance. Probyn was an agriculture enthusiast. However lacking he might have been in knowledge and training he had no dearth of energy and ideas when it came to matters concerning the agricultural and commercial development of the Protectorate. He, like his predecessors, saw only that a Poro placed on the collection of palm kernels was detrimental to the trade of palm oil obtained from kernels picked at a presumably earlier date than the Poro restrictions allowed. On his first tour in the Protectorate Probyn hoped that he had 'induced the natives to change the Poro on palm and to substitute for it a law making it a crime to pick unripe nuts but stating that it was never a crime to pick ripe ones unless labour was needed for plantation work.' <sup>10</sup>

Throughout the years that Probyn was Governor, reports he received from his District Officers and dispatches he sent to the Secretary of State for the Colonies were a chronicle of chiefs who were 'applying Poro

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10. P.R.O. 267/478 14 June 1905 #259 Probyn - Lyttleton

more rationally with regard to trade interests'<sup>11</sup> and of District Commissioners who were working hard to get the chiefs to cooperate in the removal of Poro restrictions on the collection of palm kernels.

With the exceptions of George William Page, who showed himself to be a particularly perceptive and knowledgeable District Commissioner, and an unidentified post-war agricultural officer, no other Government officials indicated any understanding of the use of the Poro to regulate trade practices beyond the arrogant assumption that it was either a deliberate act of sabotage or an indication of ignorance. In 1909 Page noted that with a number of bush disputes around farming time the chiefs placed a Poro against collection of produce rather than settle the disputes.<sup>12</sup> However much this practice was lamented for its effect on trade this was at least acknowledgement of practical application of restrictions generally regarded by colonial administrators to be arbitrary. Ten years later, long after the zealous Probyn had been replaced by Governors whose preoccupations lay in other fields, a member of the Agriculture Department applauded 'the effective husbanding of the (palm) crop directed by Poro regulations.' It was his observation

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11. For example: P.R.O. 267/493 26 April 1907 #144 O.A.G. Haddon-Smith-Elgin Maxwell report on newly formed Railway District enclosure

12. The complaints of sub-chiefs and headmen of the Jong Chiefdom, Northern Sherbro District, against P.C. Alice Gaye included her failure to settle palm disputes with the result that the Poro was left on the trees, the nuts rotted, and the petitioners 'suffered accordingly'. S. L. A. 4424 1909 21 December to D. C. Page of Sherbro and N. Sherbro



that the greatest waste of produce occurred 'when the farming right has devolved on a Mahometan or non-native for whom the Poro rule has no sanction.'<sup>13</sup>

The Poro Society in fact is attributed by McCulloch, in Peoples of Sierra Leone, with the coordination of production, the regulation of trade practices, and the provision of labour to those in need of it.<sup>14</sup> Probyn himself had alluded to the latter function when he deferred to the need for workers on plantations as an acceptable reason for prohibition of produce collection.

The intent of the prohibitive Poro was to enforce a closed season, to ensure, in the words of Roy Lewis, 'that the people should do farm work in the right order.'<sup>15</sup>

In other respects Government associations with the Poro Society showed no greater depth of involvement or understanding. Emigration to Liberia, or confiscation across the Liberian border of young men for servitude in the Congo, was met with appeals from chiefs and District Commissioners for the Government to give official sanction to the native laws which would prevent any native from crossing the border without permission of

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13. P.R.O. 267/582 11 July 1919 c. O.A.G. Evelyn-Milner

14. McCulloch, M. Peoples of Sierra Leone (London, 1950) pp. 32, 33

15. Lewis, Roy Sierra Leone: A Modern Portrait (London, 1954) p. 66

the Tribal Authority.<sup>16</sup> Although the Secretary of State quite logically saw no reason why these laws were not sufficiently strong without Government backing, he did not prohibit Probyn from incorporating the principle in the 1905 Protectorate Native Law Ordinance.<sup>17</sup> However, in 1907, Lord Elgin drew the line at authorizing by ordinance chiefs to appeal to the Poro to support such native laws. Thus a distinction is made between supporting or invoking a native law, and appealing to the Poro Society to do so. Consequently there appears no legislation mandating Poro laws or Poro support of laws. However, there did occur a series of noteworthy incidents surrounding King-Harmon's approval of Warren's 1904 proposal to use the Poro Society to strengthen and enforce the native laws.

#### Europeans in the Poro Society

Harold Galway Warren, an Irish military officer who had ravaged the Bumpe country during the 1898 Hut Tax Revolt,<sup>18</sup> now took it upon himself to join a Poro Society in the same area, the Bandajuma District. During

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16. S. L. A. 1264 1904 16 March Acting D. C. Wallis Sherbro; also reported to Colonial Office P. R. O. 267/472 8 April 1904 c. King-Harmon-Lyttleton; S. L. A. C42 1904 5 April D. C. Warren Bandajuma letter to Colonial Secretary Haddon-Smith

17. Section 51 of Ordinance #16 1905 makes it 'unlawful to harbour or assist any native who has left the Chieftdom to which he belongs without first notifying the Tribal Authority and without complying with the native law respecting journeys from or residence out of the territory which is subject to such Authority.'

18. Fyfe, op. cit. p. 569

'this enlightening experience' he maintained that he and a Dr. Lattermore had 'learnt more about the people we have to deal with in the few days we were shut up in the bush than (we) could have in ten years.'<sup>19</sup> His unchecked enthusiasm for using the resources and presumed good auspices of the Society may have been well-intended but was misguided.

The Poro he was then authorised to permit for the purposes of confirming and explaining the 'laws governing the native court' unfortunately became the vehicle for extortion and the cause of rumours of another impending uprising. Warren's explanation of the events on which the rumours were based is simple to the point of possibly being naive:

"The native laws being put in force by all Paramount Chiefs, obviously took many meetings to accomplish them, and these meetings gave rise, as I anticipated, to misconceptions. To hear the laws explained the people were made to pay a fee. When I saw chiefs taking too much money I stopped the 'porro'.<sup>20</sup>

The various but uniformly alarmist reports reached the ears of C. Braithwaite Wallis, District Commissioner of the adjoining Sherbro District. They caused him to fire off a series of dispatches and personal letters aimed much less at being an attack on Major Warren than at calling the crisis to the attention of the Governor and bringing the turmoil, which was allegedly affecting trade, to a halt. Among the misconceptions which arose was one which maintained that the Government helped the chiefs with 'the

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19. S. L. A. C42 1904 5 April D. C. Warren Bandajuma letter to Colonial Secretary Haddon-Smith

20. S. L. A. C61 1904 17 May D. C. Warren Bandajuma

District Commissioner's Poro' which the people were forced to join and to pay a very high fee for. The other major variation to the rumours centred on the people taking advantage of the two white men joining the Poro, by holding a second, secret one to make war because the chiefs had forced them to join 'the District Commissioner's Poro.'<sup>21</sup>

The reports of threatened disturbances were dismissed by Freetown after enquiries so superficial that the memory of warnings and uprisings in the same area did not appear to have lasted the six years since 1898. Warren's explanation was accepted without comment. Sadly, far more was made of the manner in which Wallis spoke of an officer who was his senior than of the actual folly committed by that senior officer.

It was Warren's belief that Wallis was 'out of his province to criticize my actions with respect to the Poro, and his condemnation of my administration is an unwarrantable impertinence!'<sup>22</sup> The Colonial Secretary agreed with Warren and reprimanded Wallis' criticism of an officer senior to himself in the Colonial Service concerning an action approved by the Governor. He did, however, begrudgingly acknowledge Wallis' point that he had done his duty to report the rumours. This concession was no doubt prompted by Wallis' reminder that both he and Warren, his senior officer by only a few

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21. Synthesis of reports from traders and D. C. staffs enclosed in S. L. A. C61 1904

22. S. L. A. C64 1904 17 May D. C. Warren Bandajuma

months, had experienced the 1898 Hut Tax Rebellion, rumours of which also had been ignored.<sup>23</sup>

The issue of Europeans entering the Poro Society is particularly interesting in light of the official non-recognition of this institution. There was not only controversy over the possible advantages to be gained by such an undertaking, but also conflicting opinions about the feasibility and advisability of intruding into the sacred domain of the Poro.

In the cases of both Major Warren and the Government Anthropologist, Northcote Thomas, who visited Sierra Leone in 1914 and attempted to join the Poro Society of Yonnibanna, at least one District officer displayed common sense and realistic appreciation of the workings of the Society. Wallis' condemnation of Warren's behaviour was as much due to the disturbances such action had caused as to the presumptuousness of the Bandajuma District Commissioner's assumption that he could infiltrate the ranks of the Poro. Wallis spared no words. It was his conviction that:

"... any European can go into the Poro bush and learn the secrets of these people I do not for a moment believe, and still less can a District Commissioner do so. This opinion is strengthened by the reports constantly being brought to my office, the gist being: 1. the Poro into which the D.C. has entered is a fraud resented by the natives 2. the natives regard their poro as absolutely sacred and never open it to strangers."

"A European official who conceives that he will learn the carefully guarded secrets of these people by joining or going through the

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23. S. L. A. C61 1904 30 June, 12 July C.S. Haddon-Smith; 9 July D.C. Wallis

ceremony of joining one of their most cherished and sacred societies only demonstrates in a marked degree an astonishing ignorance of the natives, their fetish societies, and the suspicious and superstitious nature of the African character."<sup>24</sup>

Although Wallis was upbraided for such remarks, he was, unbeknownst to him, vindicated at a later date by several of his experienced colleagues.

At the time of his post-retirement tour of the Protectorate, Alldridge had spent well over thirty years in Sierra Leone, twelve of which were as District Commissioner of the Sherbro District. His reaction to the reports that one or two Europeans had been initiated into the Poro Society was that 'they could only have been admitted into the outermost circle.' Alldridge did not consider this a singular achievement, likening a member of the outer circle, 'which the majority of the men and boys join', to a "'Tommy' of the British Army" who has no voice and exists to be instructed and carry out orders.<sup>25</sup>

Page thwarted the efforts of the Government Anthropologist to join Bai Sherbro's Poro in Yonnibanna in a manner which Wallis and Alldridge would have applauded. His decree that 'no Government officers were to enter Porro without first applying to the Governor' seemed motivated less from

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24. S. L. A. C61 1904 5 May D. C. Wallis Sherbro

25. Alldridge, whose requests 'for increased retirement pension for exceptional work done in Sierra Leone or a job in a better climate' were turned down, retired in May 1905 and was awarded the I. S. O. as 'suitable recognition for his services.' P. R. O. 267/482 25 May 1905 letter Alldridge-Lyttleton. The changes he witnessed in Sierra Leone since he came in 1871 as a businessman are recorded in his expressive travelogue A Transformed Colony (London, 1910) p. 194



his skepticism that 'any European would ever become initiated into the inner workings of the Porro' than from the reaction the chief had to the request.<sup>26</sup>

The Paramount Chief found Thomas' suggestion:

"... in fact one of great surprise to me and my people, which was under deep consideration for his being European but his making us to understand he was authorised by the government to enter all secret societies we had to against our wish give a reluctant consent and I thought it advisable to inform of same before proceeding. "<sup>27</sup>

In communicating the incidents to the Colonial Secretary in Freetown, Page noted that Thomas' application to Bai Sherbro to join the Poro was also irregular because such institutions were tribal and not under the control of the chief.<sup>28</sup> Whether valid in his assumptions and motivated also by pique against Thomas' intrusion in his domain, Page relentlessly pursued this and many other matters with the result, if even coincidental, that the interests of the people were defended. The 'low opinion of native'<sup>29</sup> a Colonial Office official accused him of possessing was certainly not evident in Page's confrontation with Thomas.

Whereas Warren had joined a Poro without prior or subsequent authorisation, Thomas was not able to gain entry to Bai Sherbro's Poro even by declaring that the Governor had given him permission to do so. Bai Sherbro,

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26. S. L. A. C315 1916 17 November 1914 D. C. Page Ronietta

27. S. L. A. C315 1916 19 November 1914 Bai Sherbro-Page

28. S. L. A. C315 1916 as recorded by Thomas and relayed to the Colonial Secretary 16 November 1914

29. P.R.O. 267/564 23 February 1915 #89 Merewether-Harcourt Calder minute on Page's Ronietta District report for 1914

a canny chief with years of association with European traders and Government officials, was not about to be impressed by parchments bearing the Governor's seal or by the mere words of an unfamiliar white man. The Paramount Chief's recourse to the District Commissioner of the Ronietta District served to open for debate the issue of Government sanction of Europeans entering the Poro Society. This topic had not been discussed in 1904, for Warren's action had neither been reported to the Colonial Office nor elicited recorded comment from Probyn or Haddon-Smith, the Colonial Secretary.

The staffs in Freetown and London regarded the entire question of whether Europeans should join the Poro Society with the same mixed feelings which underlay their whole policy about the Society. Merewether straddled the thin line with Colonial Office officials between wanting to know more about the Society and not wanting to alienate the chiefs by attempts to acquire this knowledge. However, his original authorisation to Thomas could no longer stand without qualification in the face of the apparent reluctance of the Paramount Chief.

The Colonial Secretary informed Page that the Anthropologist had been 'dispatched by the government to study the customs of the people, and given 10 for the purpose of initiation (fee) into a secret society'. The District Commissioner was not to hinder him if the chief and people were

willing.<sup>30</sup> For his part Thomas was advised to keep the district officers informed of his movements and intentions.<sup>31</sup>

Although Haddon-Smith's instructions appear to be belated as the Paramount Chief had already expressed his reluctance in his letter to Page and in his alleged lack of cooperation in supplying Thomas with carriers, the orders were not without effect. Thomas' final report, published in 1916, contains a chapter on the Poro Society of Bai Sherbro. It is doubtful, however, that the Paramount Chief, even under pressure from the government, provided anything more than superficial views of the Poro Society nor that he revealed any of its secrets.

Removed from the scene, Colonial Office personnel strongly regretted the loss of this 'priceless opportunity' to learn about the Poro Society. In an after-the-fact and self-contradictory dispatch, Secretary of State Harcourt instructed the Governor to not limit Thomas' realm of investigation so long as the Anthropologist first obtained the permission of the District Commissioner involved.<sup>32</sup> As Page's feelings on the subject of Europeans trying to join the Poro Society were explicit and had been the original cause of Thomas' failure, the Colonial Office had merely succeeded in issuing a statement which revealed the same ambiguous position as had been expressed by the Freetown Government.

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30. S. L. A. C315 1916 20 November 1914 C.S. Hollis-Page

31. S. L. A. C315 1916 20 November 1914 C.S. Hollis-Thomas

32. P. R. O. 267/564 31 January 1915 Merewether-Harcourt draft

Poro and the Administrative System

Wallis probably knew and understood as much about the Poro in 1905 as anyone in Sierra Leone during the years under consideration. Even so, in summing up the relationship between the Government and the Poro Society he assessed the policy of the Government far more accurately than the tractability of the Poro: "Let the chiefs rule the people and by our policy, diplomacy, justice, judgment and sympathy (we) shall enlist chiefs and the people on our side and then Poro will be under our good influence."<sup>33</sup> At no time does it appear to have been seriously contended that the opposite effect could be obtained, and that the Poro Society could be used directly to bring the chiefs and people into line with the aims of the British Administration. With the fundamental belief in interfering with indigenous institutions as little as possible and the necessity of keeping costs, and consequently staff, minimal, it is inconceivable that the Protectorate administrators would have attempted to officially include the complex and evasive Poro Society in their system. The governing policy remained that Protectorate rule would be administered through the chiefs despite indications that many chiefs had little power or influence independent of the Poro Society.

It is apparent from the records that the more that was learned of the nature and workings of the Poro the more confirmed government officials

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33. Wallis, C. B., "The Poro of the Mendi" Journal of the African Society v. XVI 1905 p. 188

became in their conviction that interference was not only undesirable for the reasons already cited. The resentment of and resistance to any such action also would make it virtually impossible to execute.

However much information concerning the Poro Society exists in the Government records is no guarantee that it was possessed by all the colonial officers. The principle of relying on the initiative of the local administrator was applied to the acquisition of knowledge concerning the people and traditions of his area. Although there were 'reports of District Commissioners on native laws and customs,' and enquiries were made into various concerns, there is no indication that the data submitted was systematically compiled and circulated.<sup>34</sup> To the contrary, the practice in many cases was to forward the findings to the Colonial Office and file copies with the Colonial Secretary in Freetown. Nor can it be assumed that the majority of the district officers had the time or inclination to peruse the back records of their predecessors or of the Colonial Secretary.

With the Poro Society and related issues as with any other part of the traditional power structure, the understanding a District Commissioner had of the indigenous institutions and the role they played among the diverse Pro-

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34. Among the few exceptions was the outcome of the survey concerning the methods of removing chiefs. This information, gathered throughout 1909 and early 1910 from district officers (S. L. A. 1725 1909), was incorporated into Standing Instruction #10 1910 of 22 August. This printed document of guidelines on The Deposition of Chiefs was distributed to the District Commissioners. See Appendix D

tectorate peoples depended largely on that individual's background and abilities. It was necessary that he be able to comprehend and apply any information provided him, such as that included in the guidelines to be used in the removal of a chief. However, speculation as to the extent such guidelines were followed is heightened by the selection by Fairtlough of both the Paramount Chief and the Nain Banna of the Kwaia Chiefdom as assessor chiefs.<sup>35</sup> Such a determination implied an equal status of the two positions although Fairtlough, in other contexts, had revealed his knowledge of the fact that the Nain Banna, Pa Nembana, was not equivalent to the Paramount Chief.<sup>36</sup>

Although this action took place some years previous to the issuance of the Standing Instruction cited above, it is indicative of knowledge of indigenous political structure not being consistently applied. As a consequence the relative positions and authority of the Paramount Chief and the Nain Banna would undoubtedly be affected by the Protectorate Administration providing them with identical roles in the Circuit Court. Similar effects on the indigenous political structure will be seen as a result of political officers misconstruing or misapplying information about the Poro Society.

The extent to which a District Commissioner was both perceptive and capable of drawing upon whatever depth of experience in other regions he

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35. S. L. A. 5511 1903 19 January 1904 D. C. Fairtlough Ronietta

36. See: S. L. A. 963 1901



possessed affected the way he regarded such traditional institutions as the Poro Society. Consequently the personal characteristics of district officers and turnover in personnel very likely produced an erratic implementation of the policy toward the Poro Society as each administrator interpreted facts and events differently and relied on differing sources of information. In addition, misrepresentation, poor judgment, and misplaced trust must have occurred in some cases which concerned the Poro Society, its laws or its authority. Under the administration of one District Commissioner chiefs might be regarded as dependent on the observance of their Poro oaths while the succeeding administrator might consider the Paramount Chiefs as the supreme powers in their respective chiefdoms.

#### Poro and the Chief

The policy of ruling through the chiefs, with due accord given the 'Tribal Authority' and the 'native law and customs', was for the most part probably a harmless expedient. For the general purposes of the Protectorate Administration it apparently was not deemed necessary to ascertain who in fact were the 'leading' or 'principal' men of a chiefdom nor who determined 'native law', beyond the identifications made by the chief. It was the opinion of one political officer that the first problem of any enquiry was the determination of the Tribal Authority. William Douglas Davies Bowden had found during his 18 years in the Protectorate that he could 'choose one of several bodies, equally well called the Tribal Authority'. In the 1924

case referred to, the then Commissioner of the Central Province had quite logically selected 'the elders who signed or marked the chief's election' and 'missed the cream of the Tribal Authority.'<sup>37</sup> Nevertheless, among the responsibilities of the District Commissioner were those of presiding over the election of the Paramount Chiefs as well as over any enquiries which might lead to their deposition. Both areas of consideration relied heavily on the testimony of the leading men of a chiefdom and on the precepts of customary law and tradition.

Although the Government had gone to some effort to determine the traditional practices among different Protectorate peoples for removing their chiefs, no such undertaking was made with respect to variations in customary selection processes. The Standing Instruction for the Deposition of Chiefs pointed to a great diversity of roles played by the various Tribal Authorities in the removal of a chief. It is open to conjecture how equitable was the basically uniform Government procedure for the election of chiefs when it can safely be assumed that there existed the same divergence in roles of the Tribal Authorities in the process of choosing a chief as in removing one.

This defect would be all the more operative when it is borne in mind that the Poro Society did not exist in some areas, and that its functions and

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37. P.R.O. 267/603 15 January 1924 c. Slater-Devonshire Bowden enclosure

relation to the chief varied among those people where it was found. These facts<sup>38</sup> and that of the Poro Society being 'the source of the chief's authority' were known to colonial administrators. Indeed, the relative position of the chief and the Poro Society was sufficiently well understood for the Inspector-General of the West African Frontier Force in 1912 to state that:

"In some cases the paramount ... chiefs are men without much influence in their districts, in other words, they are not the real rulers of the people; while in others the chief, though a strong man, derives his power to a great extent from a secret society. It therefore frequently happens that the Government does not know with whom it has to deal. The real power in the country rests with the secret society whose proceedings and sentiments are difficult to learn."<sup>39</sup>

As early as 1898 this situation had been acknowledged by Protectorate administrators. Capt. C. E. Carr, District Commissioner of Bandajuma, in his testimony before Chalmers, observed that 'the chief's authority depends on his character and the position he holds in Jugu or Poro.'<sup>40</sup>

Frequent, although inexplicit, references to 'Poro laws,' 'Poro staff men as witness,' 'withdrawing into the Poro bush to consider the evidence,' or 'being questioned by the Poro' occurred continually in contexts

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38. Among the places where this fact was a matter of contemporary record are: P.R.O. 267/522 17 April 1910 c. Probyn-Crewe Lukach enclosure; Thomas' government and published reports; S.L.A. C42 1916. The District Commissioners in replying to Merewether's enquiry about 'the use of native institutions as media of education' identified the tribal areas which had 'no Porro or corresponding society.'

39. P.R.O. 267.542 1 Sept. 1912 secret. Merewether-Harcourt Wilkinson enclosure

40. Parliamentary Papers 1899 vol. LX c. 9388, 9391 The Chalmers Report Appendix I p. 12

which affirmed the belief that the Poro Society in many areas was the source both of the chief's authority and of the laws of the community.<sup>41</sup> Indeed, the whole issue of using the Poro Society to confirm and enforce laws of the chief is indicative of the Government's consciousness of Poro constituting the power beyond the chief and the customary laws. However, there was never any attempt to formally identify the Tribal Authority as being the Poro Society. Nor was there any reference to the role of the Poro Society in the proceedings of electing or deposing a chief.

McCulloch designates the approval of a chief's appointment as one of the former functions of the Poro Society among the Mende. It is further noted that by 1950 "it was not unusual for the council responsible for electing the Chief to be 'sworn' by the Poro before the election."<sup>42</sup> The election or deposition of a chief by a Tribal Authority which did not include the powerful men of the Poro Society would be an act which would have significant repercussions. It can be presumed that the new chief, without the support of the Society and lacking traditional position in the chieftdom, would be unable to

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41. See: S. L. A. 2199 1908 14 May petition of Francis Fawunda Paramount Chief, Mano Sakrim; S. L. A. 4332 1904 30 January 1905 D. C. Page Ronietta; S. L. A. 407 1901 petition of Sheaffah Domgbay Chief of Marema, Sowa  
In addition, Thomas clearly stated that the function of the Society was to maintain the chief's authority. Thomas, N. Anthropological Report on Sierra Leone (London, 1916) p. 143
42. McCulloch, op. cit. p. 33 The inference is clear that the Poro Society was no longer automatically incorporated in the selection process even by the indigenous political structure.

execute the responsibilities expected of him by the Protectorate administrators. In the case of a deposition, the rightful chief in the eyes of the Poro Society, and thus of the people, would continue to act as chief and would further undermine the position of the one recognised by the Government.

According to McCulloch, "the Poro Society of the Mende helped preserve the dignity of secular rule by decreeing that disputes affecting important members of the community be heard and settled in the enclosure by a secret tribunal consisting of men chosen from the upper grades."<sup>43</sup> This function has several implications for the Protectorate Administration's non-recognition of the Poro Society, and its traditional ways. The Poro may well have continued to hold their own trials, with the possibility arising of a chief or important man being removed from his position by the Society but not by the Government which continued to deal with him. It must also be considered that the public trials or enquiries conducted by district administrators would cause the degradation of the person and position of the chief which the Poro sought to avoid.

There is a further likely consequence of the policy followed by the Sierra Leone Government regarding the Poro Society. That is that during the period under consideration the shift in the Society's role in the election of chiefs referred to by McCulloch had already begun to occur in some areas of the Protectorate. Such a situation not only is significant for the outcome

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43. Ibid.

of the proceedings but also for the role of the Poro Society in the indigenous political structure. The Government's policy of not recognising the Poro Society, and causing it to be excluded from those election and deposition proceedings where the Tribal Authority designated by the chief and district officers and the inner circles of the Poro did not coincide, would be a major factor in the alteration of the Society in its traditional functions.

However realistic and pragmatic the policy of non-recognition of the Poro Society may have been, it was therefore not without its consequences both for the Protectorate administrative system and the indigenous power structure. This was not limited to the appointment and removal of chiefs. Similar consequences are found in cases when the chiefs and the tribal authorities came into conflict and when the chiefs were accused of violating native laws. In such instances the secrecy which surrounded the Poro Society became as problematical as the lack of determination of 'Tribal Authority' and 'native law'.

#### Poro and the 'Tribal Authority'

As has been seen the Government's solution to the dilemma of not knowing with whom it had to deal was to deal consistently with the chiefs. The corollary of this practice was to ignore the Poro, however much it might be, in the words of Wallis, 'the governing body and ruling power.'<sup>44</sup>

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44. Wallis, op. cit. p. 183



The bias in favour of the chief resulting from such a policy would cause his interpretation of what constituted 'native law' and Tribal Authority' to carry a great deal of weight in points of conflict. Such a tendency would make suspect any decisions or actions based on what was believed to be native law or on the opinions of those presumed to be the principal men.

For many cases a strong argument can be made for equating the Poro Society with the 'Tribal Authority' or 'leading men,' and establishing them as arbiters of 'native law.'

Lukach's introduction to his 1910 Bibliography contains a discussion of the 'chiefdom':

"... which represents to the natives their State, their Parliament, their distributor of property and labour, the machinery by which their economy and social condition is regulated and adjusted."

"In it is bound up the code of manners and etiquette which regulates the conduct of the people towards each other, respect for their seniors is impressed on the young and tyranny on the part of the chief is made difficult by his powerlessness to act in defiance of the views of his councillors of 'principal men' who reflect public opinion."<sup>45</sup>

These details are almost identical to the functions of the Poro specified by McCulloch, and to a lesser extent by Thomas.

Fairtlough and Oswell, in replying to the Governor's enquiries about the traditional ways of removing chiefs, dealt with the procedures for getting rid of a 'troublesome chief or one who unjustly broke tribal rules.' Fairtlough

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45. P.R.O. 267/522 17 April 1910 c. Probyn-Crewe Lukach enclosure

specified that 'the chief would be killed by the porro men,'<sup>46</sup> Oswell, describing the identical situation, reported that 'the chief would be taken to the bush and killed by his own big men.'<sup>47</sup>

From such parallel situations and descriptions the inference is clear that the big men or principal men or advisors referred to in ordinances can be understood to be the Poro leaders in areas where the Society was powerful.

Cases of councillors or leading men complaining of the tyranny of their Paramount Chiefs on the grounds of Poro violations also contribute to the argument that the Poro leaders and the 'Tribal Authority' were one and the same in the traditional political system, and continued to be so regarded in the eyes of the indigenous population. In such instances, disputes between the chief and his advisors may be construed as conflicts between the Paramount Chief and his traditional source of power and authority. Settlements of serious disputes in favour of the chief would thus alienate him from the Poro Society, in turn diminishing the effectiveness of his position for both Government and traditional purposes.

As a general rule, cases against chiefs were rarely proven to the satisfaction of investigating government officers. However, flagrant abuse of traditional laws and customs, and unanimity on the part of the Tribal

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46. S. L. A. 1725 1909 14 June 1910 D. C. Fairtlough Ronietta

47. S. L. A. 1725 1909 13 April 1910 D. C. Oswell Karene

Authority as to such charges, were more likely to be the cause of a chief's deposition than complaints of misuse of those powers and responsibilities conferred on a chief by the government.

Paramount Chief Alice Gaye of Jong, Northern Sherbro, was deposed after investigation into complaints that the men she placed over the people were not men of note, that she had abandoned her lawful husband and traditional chief's town and took a slave as her husband, placed 'Porroh' on palm trees and refused to settle bush disputes, and abused her 'Porroh' oath by failing to administer justice impartially and by receiving bribes. The fact that the grievances were brought forward by the sub-chiefs and headmen recognised by the Government contributed greatly to the investigation proving the charges to be true.<sup>48</sup>

### 'Poro Laws'

As the government officers either did not have or did not apply details about the workings of the Poro Society, the accuracy of decisions in cases which specifically centred on Poro activities or laws are as questionable as in the situations discussed above. District Commissioners had to uphold the power of the chief and accept his word, for example, that a petitioner against a heavy fine had in fact broken native custom by holding a meeting in the Poro

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48. S. L. A. 4424 1909 20 November Chiefs and headmen to D. C. Page N. Sherbro; 21 December A. D. C. Reaney findings to Page; 3 January 1910 Page report

bush and making a sacrifice allegedly without the knowledge of the Tribal Authority.<sup>49</sup> In cases where female Paramount Chiefs levied fines for such alleged misdeeds as 'joining a foreign Poro' or 'putting Poro on the country'<sup>50</sup> it might well be questioned how appropriate it was for any woman to judge the activities of the Poro Society, let alone how capable she would be to do so.

N. C. Hollins, who first served as a district officer in Sierra Leone in 1910, maintained that by Mende law women could not, strictly speaking, be elected Paramount Chiefs. The fact that some were put up to the Government and accepted as such proved nothing, for chiefs of old had to be big in the Poro bush and therefore had to be men. 'The so-called women chiefs were to some extent dummies.'<sup>51</sup> Despite the fact that Government officials knew that the Poro Society was for men, and that women chiefs were in all likelihood only nominally initiated, administrators rarely had a choice but to accept these nominees and to adhere to their policy and support the decisions of their chiefs.

Whether rightfully Paramount Chief, and by consequence initiated

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49. S. L. A. 3516 1909 17 September D. C. Maxwell Railway

50. S. L. A. C218 1917 from evidence taken during investigation into charges which led to the deposition of Madam Humonyaha, Nongowa chiefdom Railway District

51. Hollins, N. C. "Mende Law" Sierra Leone Studies June 1928 v. XII p. 28

into the outer circles of the Poro Society;<sup>52</sup> or put forward by the Society as a puppet chief, the position of the female Paramount Chief in the Protectorate appears an ambiguous one. In neither circumstance would she necessarily be privy to the secrets, proceedings and decisions of the powerful inner circle of the Society. Laws could be made by that body independent of the chief. Additionally, under either set of circumstances surrounding her election, the female chief's influence would seemingly be negligible unless she enjoyed the support of the Poro.

Madam Yoko, from all appearances, was a singularly powerful chief who extended her influence considerably during the years she was allied with the Government. However, it could be argued that, as she derived her power from the active support of the Government, it is unlikely that the Poro Society also backed her.<sup>53</sup> Perhaps alienation from the indigenous power structure was a factor in her death, allegedly a suicide, because she had been 'too enterprising'.<sup>54</sup>

The unqualified recommendation for the deposition of a Paramount Chief based primarily on complaints concerning Poro which could not be

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52. Little, *op. cit.* p. 245 "... any woman who becomes Paramount Chief must be initiated, but remains a junior member." Alice Gaye, Paramount Chief of Jong, N. Sherbro testified to the fact that she had had to be initiated into the 'boy's Porroh.' S. L. A. 4424 1909 21 December A. D. C. Reaney deposition findings-Page

53. See footnotes 59-61

54. P. R. O. 267/517 5 October 1909 #524 O. A. G. Haddon-Smith-Crewe Fairtlough enclosure

substantiated by public testimony is open to criticism. Even if he had specific evidence against the chief, the investigating administrator would still have lacked sufficient knowledge of the Poro Society to evaluate the charges. Accordingly, Bowden's judgment and the justice of his decision are questionable in the deposition of Paramount Chief Bockari of Nongowa chiefdom, Central Province, for, primarily, breach of Poro customs.

The evidence showed that the chief was not a Poro man 'but it was not a commonly known fact when he stood for election'. Among other things he was accused of judging cases which involved 'the spoiling of a Porro law' although he had no right to, not being a Poro man.

The charges against Bockari as well as his defence were admittedly incomplete due to the code of silence concerning Poro matters. According to a sub-chief, one of his accusers, "There were a number of other things that he did to break the Porro laws but I cannot mention them before non-Porro people and women." Such was the rule for most of the proceedings, conveyed by Bowden to the Colonial Secretary with his report and recommendation.

The recommendation for deposition was accepted by Governor Slater despite Bowden's admission that:

"Chief Bokari continued to deny that he had ever offended any Porro laws or customs but the Assessor Chiefs refused to ask him any more questions as they were of a secret nature which alone could bring out the truth." <sup>55</sup>

55. P.R.O. 267/603 19 March 1924 #106 Slater-Thomas Bowden enclosure



It is interesting to note that the ill-fated Bockari was the successor to Madam Humonyaha whose deposition in 1917 had also been based, to a lesser extent, on Poro complaints. Considering the fact that one of Bockari's accusers testified that 'according to native law the chief is the head of Poro' it is open to speculation how first a woman, and then a man who not a Poro member, were selected as chiefs of an area so apparently conscientious about Poro regulations. It is even more incredible<sup>ible</sup> that the fact that Bockari was not a member of the Poro was 'not commonly known' by the people in his chieftdom when he was elected.

Consequences of the Protectorate Administration's  
Policy toward the Poro Society

Cases where an unjust decision was reached on the basis of what was erroneously believed to be the leading men and/or customary law and tradition, or from ignorance of the Poro Society give rise to certain questions. Consideration must be given to how many similar incidents occurred which were not brought to light, and of how the Protectorate people and the indigenous political systems were affected by these misinterpretations of laws, traditions and power structure.

McCulloch and Little suggest functions of the Poro which were known, at least to Wallis and Newland,<sup>56</sup> but not acknowledged or acted upon during

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56. Wallis, op. cit. pp. 183, 187; Newland, H. Osman Sierra Leone: Its Peoples, Products and Secret Societies (London, 1916) p. 129

the first quarter of this century. The Poro Society's roles in the settlement of disputes within and between chiefdoms; achievement of uniformity in social customs and government among scattered and largely independent communities; and making, interpreting and enforcing moral and secular laws were critical.<sup>57</sup> Accordingly, an entire level of judicial and legislative action was beyond the reach of the Protectorate administrators. In addition, it is regrettable that it was not feasible to refer the numerous chiefdom boundary disputes to the Poro Society. The resultant settlements could only have been more accurate, binding and rapidly attained than those of the District Commissioners and their assessor chiefs.

Although the reasons for not incorporating the Poro Society in the Protectorate Administration have validity, nevertheless there are important consequences of excluding an institution with such diverse influence. Not only was the internal power structure of the indigenous political system affected but also the effectiveness of the Paramount Chief and the Tribal Authority as parts of the British Administration and as traditional rulers.

Some effects on the position of the chief have been cited. Beyond such considerations as women being Poro chiefs, the selection of the wrong person to be chief or the wrongful removal of a ruler is the overall one of the effect of the Government policy toward the Poro on the critical relation-

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57. Little, Kenneth "Mende Political Institutions in Transition" Africa January 1947 v. 17 #1 pp. 11, 12; McCulloch, op. cit. pp. 29, 32, 33

ship between that institution and the chiefs. The Paramount Chief's basis of power shifted from his traditional source, in many cases the Poro Society, to that of the Protectorate Administration. The powers, responsibilities, and restrictions of the Paramount Chief were well delineated while the Poro Society remained largely outside the sphere of government interference.<sup>58</sup>

It is within the realm of probability that requests of chiefs to obtain Government approval for various uses of the Poro indicated either that the chief lacked sufficient position in the Society or that the sanction was to be taken advantage of by either the chief or the Poro Society.

In the execution of many of his functions for the Protectorate Administration the chief would not only lack the authority and support once derived from the Poro Society but also would potentially incur its opposition to various of the modernising projects of the colonial government. The chief became increasingly required to implement such non-traditional undertakings as vaccination programs, sanitation schemes, experimental farms and vernacular schools. In so doing he moved further away from the interests of the Poro Society, which both Little and Kilson identify as being resistant to the changes brought about by colonialism.<sup>59</sup>

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58. Indeed, Little views 'the official limitations on the prerogatives of the chief as a substitute for the balance of political authority which might in former times have been supplied by the influence of the Poro.' Little, "Mende..." *op. cit.* p. 19

59. *Ibid.* p. 18; Kilson, Martin Political Change in a West African State (Cambridge, Mass., 1966) p. 111

References to the more recent power of the Poro Society reflect on trends which undoubtedly commenced during the years under review. In return for "the Poro's considerable influence 'behind the scenes' " the chief apparently, according to Little, "was expected to uphold the interests of the Poro in the face of extraneous and opposing forces, such as Islam and Christianity."<sup>60</sup> Upholding such interests would compromise the chief in the execution of his government duties and create a conflict between the traditional and modern requirements of his position.

Little's contention is that it is a moot point how far the chief's office could be divested of its traditional significance without undue loss of the popular respect which constituted its most valuable asset.<sup>61</sup> It can be argued that the assumption of non-traditional functions would cost the chiefs the support of the Poro Society and consequently the traditional significance enjoyed from their association with the Society. The post-World War I peasant disturbances cited by Kilson as having been aimed at the property, person and authority of the chiefs<sup>62</sup> surely are as indicative of loss of popular respect as of opposition to changes being executed through the agency of the chiefs and the chiefs' inability to uphold the Poro interests.

It would appear that not only did the relation between the Poro and the

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60. Little, "Mende..." op. cit. p. 19

61. Ibid.

62. Kilson, op. cit. p. 111 "... as they were the main agency through which colonial change touched and affected the rural masses. "

chief alter as a result of colonial rule, but also the functions of that Society. Little asserts that the changes brought about administratively to Mende political institutions are largely reflected in the altered status, significance and implication of the chief's office.<sup>63</sup> However, the Protectorate Administration's non-recognition of the Poro Society affected the political institutions of the Mende far beyond that of the chieftaincy. The role of the Poro in many of its traditional functions was deliberately or inadvertently curtailed. The focus of the Society's attention shifted to opposition of colonial innovations. The altered relationship between the Paramount Chief and the Poro Society as a consequence of British Administration of the Sierra Leone Protectorate 'freed Poro from the interference of the chiefs.'<sup>64</sup> Combined with the fact that the Poro Society was not supervised by the Government, this state of affairs provided the Society with opportunity to abuse traditional prerogatives.

McCulloch cites as one of the functions of the Poro the supplying of 'young initiates to work for farmers during the busier periods of the farming season.'<sup>65</sup> Little's reference to the same practice is in terms of 'stipulating that each village shall supply a given number of initiates, on each of whom a substantial fee is levied.' He notes that although he does not want to

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63. Little, "Mende..." *op. cit.* p. 50

64. Kilson, *op. cit.* pp. 111, 112

65. McCulloch, *op. cit.* p. 11

imply that all chiefdom Poros are the subject of extortionate practices, 'so-called native customs are sometimes used, and are the main remaining cloak, for illegal purposes.'<sup>66</sup>

The enumerations of the Poro's 'opposing forces' raises serious questions about those numerous chiefs cited by colonial administrators as being devout Christians and Mohammedans. In the event that such chiefs were not Poro chiefs in areas where the Poro Society had a strong influence, it would follow that they did not receive the benefits of Poro support. Thus it would be probable that their positions as chiefs were seriously handicapped.

The position of the Reverend Daniel Flickinger Wilberforce is worth considering in this context. As noted by Fyfe, United Brethren in Christ missionaries disapproved of the Poro although they recognised it as the strongest political force in the country.<sup>67</sup> D. F. Wilberforce himself wrote of 'the formidable and binding force of Poro laws among the Sherbro'<sup>68</sup> many years prior to becoming a Paramount Chief of a Sherbro chiefdom. It is open to conjecture whether alienation from the Poro Society contributed to his being implicated in Human Leopard murders, as a consequence of which he was relieved of his religious and secular responsibilities.<sup>69</sup>

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66. Little, "Mende..." *op. cit.* pp. 19, 20

67. Fyfe, *op. cit.* p. 555

68. Wilberforce, D. F. Sherbro and the Sherbros or a Native African's Account of His Country and People (Dayton: United Brethren Publishing House, 1886)

69. See: subsequent section for further discussion of Wilberforce and other chiefs possibly implicated in these murders because of their educations.



Although Kilson and Little maintain that throughout the 20th century educated Mende and Temne joined and participated in the Poro Society and its activities,<sup>70</sup> it is questionable whether such a phenomenon was true during those years when the Society was resisting colonial influence and changes.

Governor Merewether in one of his many efforts on behalf of Protectorate education enquired of the District Commissioners whether it would be possible to utilise 'native institutions as media of education.' The response is typified by Hodgson's declaration that "to bring Porro proceedings into the light of day and to use the Poro as a means of education, as understood by white men, would be to the native mind inconceivable."<sup>71</sup> It is unlikely that these Christian, Mohammedan, and educated chiefs who undertook to join the Poro Society progressed any nearer to the inner circles than Warren or Thomas.

In view of the reactionary, anti-colonial tendencies displayed by the Poro Society it is not likely that the Protectorate Administration could have utilised it as a governing body or exploited it as a modernising agency had the Government seriously desired to do so.

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70. Kilson, *op. cit.* pp. 256, 257

71. S. L. A. C42 1916 9 February D. C. Hodgson Koinadugu

## Human Leopard and Related Societies

### Background

"The 'Human Leopard' covers his body with a leopard skin when about to attack his victim, crawling upon all fours in order to deceive. He carries a very sharp three-pronged, short-handled knife of country make, and carefully watching his opportunity, when an unsuspecting man, woman, boy, or girl is found quietly working in a secluded part of a farm he will suddenly rush from his concealment in the jungle behind the victim, pounce unperceived on him, and thrust his knife into the neck, severing the vertebrae,"<sup>72</sup> "in such a way as to produce wounds resembling those which would be given by a leopard's claws. . . . As soon as the victim is murdered the body is dragged to a convenient spot where it is cut up and the flesh and internal organs are distributed. The bones are left and are sometimes buried. The blood and fat are used to smear the borfima and the flesh is eaten. The flesh is sometimes eaten on the spot, sometimes taken home and eaten, and some may be sent to absent members."<sup>73</sup>

In a similar fashion murders committed by the Baboon and Alligator<sup>74</sup> Societies were done to resemble death caused by those respective animals and involved the appropriate skins and tools. In whatever ways the details

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72. Alldridge, T. J. A Transformed Colony (London, 1910) pp. 274-275

73. P.R.O. 267/555 5 June 1913 Griffith letter to Harcourt

74. Beatty notes that 'alligator' was the local name for crocodiles.  
Beatty, K. J. Human Leopards (London, 1915) p. 9

of the killing varied, crimes of this class, or attributed to such societies, constituted one of the most preoccupying and serious problems British colonial officials faced in the administration of the Protectorate during the period under review.

The relationship between the British colonial administration and the people they were protecting was inevitably affected by the intensified search for murders committed by these societies and by the incidents related to the arrests and trials of hundreds of people. Suspicion became evident on both sides; and the fear, intrigue, and presumed resentment on the part of the Africans was matched by the disillusionment and frustration experienced by the colonial officials.

Prior to the assumption of a Protectorate in 1896, British administrators in Freetown interfered very little with the domestic institutions of the people in the Sierra Leone hinterland. Prevention of slave-raiding, and of inter-tribal wars which would disrupt trade were the main areas of Government interest.

However, when the traditional detectives, the Tongo Players (Tonga Dancers), had some three score 'human leopards' put to death in the Imperri Country in 1890, Governor Hay invoked Turner's Treaty in order to make the area part of the Colony, and thus subject to British jurisdiction. The anticipated effect of such activities so near the Colony on the trade which the Government sought to protect and foster was undoubtedly a large

factor in his decision.

The act of incorporating the Imperri Country into the Colony was not accompanied by any administrative changes, nor were the Frontier Police given any additional authority. Indeed, the Frontiers were reminded to 'not interfere with domestic institutions.' When the murders recommenced the following June and the Government took no action, the chiefs resorted once more to the Tongo Players.

"A great fire was lighted and the Tongo Players were directed to throw into the fire all persons whom they found to be cannibals ... it is asserted that as many as eighty persons were burnt to death, a number of them anticipating their fate and of their own accord throwing themselves into the flames."<sup>75</sup> Although Beatty's description is colourful, it is also probably at least slightly inaccurate.

Fyfe, whose objectivity will far surpass Beatty's in any test, records a situation where 'at least a hundred ... were seized as human leopards, were tied up until their relatives paid Neppo a fine, then burnt to death.'<sup>76</sup> The exact numbers of those voluntarily or otherwise consigned to the pyre were not determined, but 'the pyramid of calcined bones' was reported by Alldridge to be 'about four feet high'.<sup>77</sup>

The circumstances surrounding the Imperri murders in the 1890's

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75. *Ibid.* p. 5

76. Fyfe, *op. cit.* p. 506

77. Beatty, *op. cit.* p. 5

represent a microcosm of those related to similar incidents throughout the early years of the Protectorate. Present on the larger scale was the same lack of consensus as to both the motivating reasons for the crimes and the measures which would end them. Inertia and lack of initiative of men like Garrett and investigating tactics which 'terrorized people into giving evidence',<sup>78</sup> were not merely characteristic of the Imperri country in the 1890's. The same differences from one government officer to the next in diligence, responsible supervision of staff, and just application of law and order can be seen in any area of the Colony and Protectorate where the alleged operations of unlawful societies are examined.

#### Objects of Secret Society Murders

There was lack of agreement on the part of contemporary observers in the early 1890's as to the reasons for the seemingly high rate of activity of the Leopard Society, and consequently of the detective Tongo Players. The eminent Freetown barrister, Samuel Lewis, believed that the upsurge of murders was motivated by political revenge. This view was shared by others including Garrett who had become the officer in charge of the area where the crimes were most prevalent. However, Alldridge and others subscribed to the school of thought that the murders were committed in order to obtain parts of the body to make 'Borfima' ('Borfimor'), a medicine which was

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78. Fyfe, op. cit. p. 545

meant to confer great powers. Such conviction was not to be daunted by observations, like Lewis', that the bodies of the Imperri victims had not been mutilated.<sup>79</sup>

Proponents then and later of the Borfima theory are in accord that it was a medicine credited with such qualities as ensuring the owner power and good fortune, honour and awe in the eyes of his people, and assistance in trade bargains and the White Man's court.<sup>80</sup> The medicine itself was variously described as being 'a dirty-looking parcel wrapped in dirty, greasy cloth and containing nails or iron of some sort, pebbles or cowries, grey powder (powdered human skull mixed with semen), often the horn of a small deer, and sometimes an Arabic text'<sup>81</sup> or 'the white of an egg, the blood, fat and other parts of a human being, the blood of a cock, and a few grains of rice tightly bound up in a leather package.'<sup>82</sup>

However much there may have been divergence of opinion as to the ingredients, all agreed on the relationship between the Borfima and the slayings. It had to be reanointed periodically with smearings of human fat and blood in order 'to keep its virtue up to the mark,'<sup>83</sup> that is to say to main-

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79. *Ibid.* p. 507

80. Alldridge, ... *Colony op cit.* p. 274; Beatty *op. cit.* pp. 23-24; P.R.O. 267/485 4 July 1906 c. Probyn-Elgin Probyn to Major Palmer, W.A.F.F. Commanding Officer enclosure;; P.R.O. 267/555 5 June 1913 Griffith letter to Harcourt

81. P.R.O. 267/555 5 June 1913 Griffith letter to Harcourt

82. Beatty, *op. cit.* p. 23

83. P.R.O. 267/555 5 June 1913 Griffith letter to Harcourt



tain its efficacy.

The fact of un mutilated bodies notwithstanding, many officials during the years under consideration concerned themselves with the question 'why the members of the Human Leopard Society ate their victims.' The records indicate that men on the spot gave tacit acknowledgement to cannibalistic procedures by their references to the places where the bodies of victims had been consumed. However they did not indulge themselves in theorizing. It remained for such higher government officers as Probyn and Griffith, who presided over the 1913 Special Commission trials of scores of people accused of Leopard Society activities, to record their opinions for posterity.

Griffith did his profession proud as his original statement, in his official report, was highly qualified and guarded. However, his 'unjustified belief' that 'there was an idea that the eating of human flesh increased a man's virility',<sup>84</sup> was substantially expanded and embellished in his introduction to Beatty's book. By that time he had founded his 'idea' on the recollection that all the principal offenders--the arrangers 'who received the most coveted portions of the slaughtered bodies'--were 'men of mature age, past their prime.'<sup>85</sup> He offered as possible origins for this practice the consumption of flesh to preserve inviolable secrecy or to continue the leopard-acting.<sup>86</sup>

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84. Ibid.

85. Beatty, op. cit. p. vii

86. Ibid.

Probyn, rarely given to qualifications or contingencies, stated that 'in order that the medicine be effective, it is believed that the remainder of the human body must be eaten up.'<sup>87</sup> It can be argued that he was wrong in his assertion that 'it may assist Captain Bond to know that, according to the best information on the subject, the object of the Leopard Society is not cannibalism.'<sup>88</sup> It is difficult to see how, from the point of view of an administrator or a victim, it was relevant whether the murders were committed from a craving for flesh to satisfy dietary or spiritual deficiencies or ritual requirements.

What is relevant for the purposes of this study is that colonial officials in positions with life and death powers believed, as Griffith, that the object of the Human Leopard Society could be stated with confidence. Whether since disproven or not, the objects and 'modus operandi' believed to be true by colonial administrators were the ones on which they based their decisions about how to investigate these crimes, measures which would eradicate them, and the guilt or innocence of people tried for the crimes as the officials believed them to have happened.

The controversy over the factors which caused secret society murders did not begin with the Imperri incidents in the 1890's and has not ended yet. In more recent years, Little added new dimensions to the political re-

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87. P.R.O. 267/485 4 July 1906 c. Probyn-Elgin Probyn to Major Palmer, W. A. F. F. Commanding Officer enclosure

88. Ibid.

venge theories by his suggestions that not only the cannibal medicine but the act of murder itself could be used to gain advantage.<sup>89</sup> As investigation of these activities will show, it is entirely probable that the factors of both political revenge and advantage, and quest for rejuvenating powers have been responsible for murders committed by or attributed to the Human Leopard, and to a much lesser extent Alligator and Baboon, Societies.

### Incidence of Secret Society Murders

Although from time to time reports of Human Alligator and Human Baboon cases appear, the bulk of the deaths investigated as secret society murders were attributed to the Human Leopard Society. Furthermore, although there were cases reported from throughout the Protectorate, this class of crime occurred primarily in the Mende and Sherbro areas of the then Karene and Northern Sherbro Districts. Arrest and trial, conviction and execution had no respect for money or position as paramount chiefs and prominent traders spent weeks and even months in the gaol and were hanged side by side with obscure villagers.

The activities of these societies became a matter of increasing importance during a period of the early years of Protectorate administration. Annual district reports faithfully detailed the absence or existence of cases attributed to them, and delineated the methods used to detect, investigate

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89. Little The Mende ... op. cit. p. 233

and deter these crimes.

In the ten year period between 1903 and 1913 many hundreds of Protectorate people were arrested or detained because of alleged involvement in 'secret societies for the purpose of murder.' Over 300 were charged with murder and committed for trial. Of those actually tried, 96 were convicted and sentenced to death. During the same period of time 18 Paramount Chiefs were deposed, deported or executed, and 7 tribal administrations suspended. Numerous other cases were referred to in dispatches to the Governors from district officers during this period. However, insufficient evidence prevented arrests from being made.

An apparent increase in the alleged activities of the Human Leopard Society, and the actual activities of the colonial administrators can be traced from the beginning of this century until the First World War. Whether or not the actual number of leopard murders rose, the number detected, or at least attributed to the Leopard Societies, grew noticeably. The importance that the activities of such societies assumed in the minds of some colonial administrators is itself a significant factor in determining the accuracy of statistics and to what extent, if any, the rate of this class of crime did increase. Over the years there would be as many suggested cures for this evil as there were administrators. Whether it be opening up the country with roads and trade, increased administration, education, or contact with a higher civilization, the majority of the sentiments expressed shared

a common attitude that such secret societies were almost inevitable among these people. The racist invectives were limited to the 'depraved Imperri' or 'Bulloms' among whom 'ceremonies attended by human sacrifices have persisted after they seem to have disappeared from among the other peoples.'<sup>90</sup> Although no distinction is made here between the Bulloms of the North and of the South, most Sierra Leone administrators referred to the latter as Sherbro, as do most modern ethnographers.

Although no doubt originally motivated by sheer moral distaste of murder and by administrative vigilance, Protectorate district officers in many cases came to regard the quest for leopard murders and murderers with something resembling messianic zeal. There is a racist undertone to the determination of administrators in areas of greatest Leopard Society activity to not let these offensive practices continue under their noses, to not be beaten or made fools of by races they considered inferior. A District Commissioner with a temperament like Fairtlough's seemed to regard the occurrence of a leopard murder in his district as a personal affront and challenge.

Pursuit of murderers and search for similar cases conducted with a vengeance probably, if nothing else, created a false impression of the amount of crime of that sort that was being committed in the Protectorate. The

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90. S. L. A. C20 1909 31 January D.C. Page, N. Sherbro; P. R. O. 267/503 25 April 1908 #209 Probyn-Crewe Maxwell enclosure

corollary to the natural tendency to keep areas where such crimes were known to have occurred under surveillance was to not devote precious time, energy, and manpower to looking for them in parts of the Protectorate where the activities of such societies were presumed to be limited or non-existent.

It is possible that the statistics of the period under review do not account for murders which were not detected because the secretive nature of the subject concealed them from vigilant and non-suspecting administrators alike.

The accuracy of the numbers of crimes that were reported is also open to question. Confusion with deaths caused by real leopards was an admitted problem, but the extent of this confusion is impossible to determine. In addition, the variety of reasons why members of the indigenous population would deliberately report or conceal a crime has great bearing on the final picture of how prevalent the activities of the unlawful secret societies were in the Sierra Leone Protectorate.

#### Unlawful Societies and the Judicial System

A government proclamation of 5 May 1892, declaring the use of Tongo Players illegal certainly did nothing to deter the Human Leopards. Nor did much of the legislation adopted to deal with this class of crime.

The first ordinance, #15 of 1895, applied only to the Imperri Country which remained part of the Colony until 1898. However, even before the



Protectorate was established over the British sphere of influence in Sierra Leone, the Governor had assumed the power to arrest or detain any chief for reason of suppressing the Human Leopard Society, and to banish suspect chiefs. From 1901 until the end of 1909, when a new Ordinance was passed, the Ordinance of 1896 was renewed annually.

As the Protectorate administration became increasingly settled after the 1898 Rising, its officials were able to turn their attentions to such problems as the so-called cannibal society murders. British colonial officials initially might have been able to overlook the uncivilized aspects of the alleged murders had they not believed that chiefs, headmen and principal men of areas concerned were necessarily involved.

This belief appears to have originated with people in the villages 'who have said such a murder as these would be impossible without the knowledge and sanction of the chief.'<sup>91</sup> The widely publicized axiom derived from such information was that no such event could take place in a village without the knowledge and sanction of the chiefs and headmen. As these indigenous rulers were the backbone of Protectorate administration, the British administrators could not overlook murders which they believed

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91. P.R.O. 267/475 17 January 1905 #25 Probyn-Lyttleton; S.L.A. 2131 1908 27 July A.D.C. Reaney; P.R.O. 267/542 24 September 1912 c. Merewether-Harcourt Fairtlough enclosure; P.R.O. 267/552 11 November 1913 c. O.A.G. Hollis-Harcourt Police Magistrate Beatty and Acting Attorney General Van der Meulen enclosures; see also Human Leopard Society Ordinances

were perpetrated, perpetuated or at best permitted by the very people they were relying on to rule in accordance with British policies.

The resurgence of reported leopard murders in the opening years of the twentieth century may not be wholly attributable to the energies of the administrative staff. The suggestion that such crimes would persist in times of peace because gratification of the needs for human flesh were more easily satisfied in wartime<sup>92</sup> implies that for a period of time after the Mende Massacres the members of the Human Leopard Society could remain inactive.

In 1912 there was a massive round-up of people allegedly involved in leopard activities, which resulted in 336 arrests by that October for 30 murders which were believed to have occurred since 1907.<sup>93</sup> Over 400 people were eventually arrested, of whom close to half were committed for trial, including at least 65 chiefs.<sup>94</sup> The tribal administrations of 4 chiefdoms were suspended. 17 chiefdoms were declared 'proclaimed districts' giving the District Commissioner virtually unlimited powers to arrest and detain. Special legislation granting extreme powers to the Governor and establishing a Special Commission Court to try the cases was approved by the Colonial Office.

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92. P.R.O. 267/468 26 May 1903 #126 King-Harmon-Chamberlain  
Fairtlough enclosure

93. Beatty *op. cit.* p. 13

94. P.R.O. 879/117 Africa (West) #1047: West African Land Committee  
testimony of Fairtlough 15 November 1912 p. 210

The 1912 round-up was the biggest one since the establishment of the Protectorate but events had been leading up to it. In 1905-06 and again in 1909 wholesale arrests and convictions had occurred. After each incident the effectiveness of the judicial process had been questioned and more stringent measures of prevention, detection and punishment had been recommended.

The procedure followed upon the news of a presumed leopard murder varied not so much in form as in substance. A great deal depended on the Government officials involved at each stage, both the position held and the particular person. Information of a murder actually having occurred or implicating specific individuals in a murder not yet detected would come to the District Commissioner by a variety of means. Inhabitants of the area from the chief on down might report the discovery of a body; Court Messengers and members of the West African Frontier Force on patrol often were responsible for alerting a District Commissioner to a murder ascribed to a secret society. One crime came to light when a voice in the dark told Major Fairtlough of human leopard activities in the village where he was staying. The role played by Creole detectives, if not convincing by disguise, was certainly effective by obtaining convictions.

The District Commissioner, or someone acting in his stead, either instructed the chief to investigate or went himself to do so. Searches for evidence were carried out and arrests made. In the instance of these proceedings being done by the chief, he detained the accused until the District

Commissioner or his representative arrived to review and perhaps reinvestigate the case. Whichever people the District Commissioner accused or accepted as accused were then removed to the District Headquarters and detained without recourse to legal assistance until the District Commissioner conducted a preliminary hearing in his Court.

Those committed for trial were imprisoned until the Circuit Court convened. Their trial might be conducted by the same District Commissioner who had arrested them if the Circuit Judge were unable to be in attendance. More often, however, the District Commissioner would be called upon to act as Crown Prosecutor. Lawyers and juries had no place in the District Commissioner's preliminary hearing. Counsel for the defence was allowed at the Circuit Court only in criminal proceedings. The Judge, with the assistance of chiefs chosen to sit as assessors, heard the cases and rendered the verdicts. Any conflicting recommendation of the assessors was forwarded to the Governor with the Judge's proposals for the sentences to be carried out.

The system described above was as fraught with difficulties for administrators intent upon securing convictions as it was for innocent bystanders to avoid arrest and for the accused to obtain justice.

The theory behind the use of select chiefs to advise the Circuit Judge was that they would be best able to assess a case, being 'fully conversant with the habits of the people and the system by which the orders of the chief

were transmitted.<sup>95</sup> Madam Yoko was a Paramount Chief of considerable standing in the eyes of the colonial government, as well as of considerable influence in the sizeable area under her rule. Having sat as an assessor chief with the Circuit Court for numerous trials, including many leopard cases, she was certainly in a position to pass judgement on the system. In these cases, however, she was doubtful that English trial by English law and practices would catch the murderers. As they were members of a secret society, it was impossible to get corroborative evidence, the witnesses being accomplices.<sup>96</sup> Her skepticism was echoed many times by various colonial administrators, the most vociferous of whom was Page.

It was typical of Page to advocate schemes that would be very effective but which were unrealistic to propose. His recommendations for improvements in the court system read as idealistically as a list to Father Christmas: "a tribunal less trammelled in the practices and procedures of English law and rules; a presiding officer more familiar with native law and life than the Circuit Judge; and the acceptance of uncorroborated testimony."<sup>97</sup>

However unacceptable, one of Page's alternate schemes--burning each town where a human leopard murder occurred--was not as extreme as

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95. P.R.O. 267/475 17 January 1905 #25 Probyn-Lyttleton

96. P.R.O. 267/496 2 October 1907 c. Probyn-Elgin Attorney General  
Packard enclosure

97. S.L.A. C20 1909 28 February D.C. Page N. Sherbro

Madam Yoko's proposal that the Tonga Players of old be resurrected to deal with the human leopards.<sup>98</sup> Madam Yoko was well qualified to make such a statement, according to Packard, 'as she had been a Tonga dancer herself.'<sup>99</sup>

Evidence was one of the most critical problems. Time and again the refusal of English law to admit the testimony of accomplices as corroboratory evidence was stated. This opposition prevented the District Commissioners from committing accused to trial as well as judges from securing convictions.

Typical of the way the Colonial Office officials refrained from offering advice or commentary to its Governors is the 1914 minute of J. S. Risley, Legal Assistant to the Secretary of State, to the effect that it was a judge's discretion to accept uncorroborated evidence of an accomplice. He noted that this distinction between law and practice was apparently not understood by the English judges in Sierra Leone.<sup>100</sup>

Judges were also bound by English rules by which they must discount evidence if contradicted. Page, speaking of his experience as Prosecutor in the 1904 trial of Paramount Chie Beah Kindo, referred to the natural tendency of a defence lawyer to try to lead witnesses to contradict themselves. He felt however that such contradictions were more apparent than real.

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98. P.R.O. 267/512 2 February 1909 #61 Probyn-Crewe

99. P.R.O. 267/525 2 October 1910 Probyn-Crewe Packard enclosure

100. P.R.O. 267/560 16 October 1914 #561 Merewether-Harcourt  
Risley minute on:



Himself able to communicate in Temne, Yellunka and Mandingo, Page was in a position to offer an intelligent diagnosis of the problem. He attributed it to the inability of interpreters to 'catch the finer distinctions and meanings of English words, and the absence of corresponding words in the Mendel language!'<sup>101</sup> Other than the familiar plea for linguistically capable district and legal officers, no recommendation for a cure was given.

Bribery and intimidation of witnesses, and the underlying belief of local administrators that the people were 'inveterate liars',<sup>102</sup> contributed to the pessimism about relying on the English legal procedure and court system for conviction and punishment of offenders under the Human Leopard Ordinances.

Accusations were levied in 1912 by petition from members of the 'poorer class' against the 'big men, native and Sierra Leone merchants and traders' of Imperri country. One case in particular was described where bribery, and undoubtedly intimidation by position were used to protect the big men behind the killing in 1908 of a boy in 'New London, (the) boy (being) pledged to (the) owner of the factory, M. S. Margai.' The petitioners stated that Margai, 'who gets the greatest portion of the dead boy's fat and the liver for himself and (his) brother Bangall, chief of Gbamgbatook,' spent not only £150 to the country that his name should not be called' but also £26 to

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101. S. L. A. C20 1909 31 January D. C. Page N. Sherbro

102. Ibid.

Interpreter Taylor. The latter expenditure could be considered a good investment in light of the fact that Taylor, sent by the District Commissioner to make an enquiry, 'only got some native men.'<sup>103</sup>

The records for 1908 contain only one reported leopard murder in this vicinity. Taylor investigated 'the cannibal murder of boy Sorbong which took place at New London.' He found that the crime was done by a wiser people than previous cases he had been on, and that it was also 'a family feast of the chief'. Although he succeeded in getting a murderer named, neither Taylor nor Assistant District Commissioner Reaney was able to implicate any of the important men, as their informants 'had been warned off.'<sup>104</sup>

It does not stretch the limits of credibility to assert that these two descriptions are of the same incident. This was not the last time the Margai name has been linked to the activities of the Human Leopard Society. Whether by coincidence or causality the majority of the people named in the July 1912 petition, including the brothers Margai, were arrested in the subsequent round-ups of that year.

At this time especially the colonial administrators acknowledged the existence of bribery behind the scenes of investigations and trials alike.

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103. S. L. A. C127 1912 8 July D.C. Fairtlough N. Sherbro enclosed petition.

104. S. L. A. 2131 1908 Acting D. C. Boddy Sherbro; undated Taylor-A. D. C. Reaney; 29 June Reaney-Boddy

However, the realisation that 'the chiefs and headmen have great wealth and power and are using it to thwart us and the law'<sup>105</sup> was rarely proven. The sentencing to hard labour of a person convicted of intimidating Crown Witnesses during the Circuit Court trial of Paramount Chief Seh Kainjah<sup>106</sup> marked an improvement over the state of affairs recorded by the Reverend King with respect to the 1906 trial of the Reverend Daniel Flickinger Wilberforce, former Paramount Chief of Imperri. During the trial it reportedly developed that witnesses had been given 'five demi-johns of rum to influence them against Wilberforce by the Court Messengers.' The Prosecutor, Fairtlough, was said to have ignored statements by witnesses of money and other bribes.<sup>107</sup> Wilberforce's 1912 trial was no less compromised as one of the judges himself noted that the witnesses for the Crown had been tampered with.<sup>108</sup>

In order to prevent terrorization of witnesses they were kept in the custody of Court Messengers. However, Circuit Judge Parodi decided such a measure could be challenged and, in the trial of Ahmadu Kai Kai, Paramount Chief of Sewa, had the witnesses removed from police influence.<sup>109</sup>

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105. S. L. A. C191 1912 2 October Acting D. C. Willans N. Sherbro

106. S. L. A. 1419 1909 7 February 1910 D. C. Page N. Sherbro

107. Board of Missionary Correspondence for Sierra Leone (B. M. C.) Historical Society of the Evangelical United Brethren (EUB), (formerly United Brethren in Christ), Dayton, Ohio King report of 7 May 1906 to UBC Dayton on Wilberforce.

108. Beatty *op. cit.* p. 68

109. P. R. O. 267/571 6 July 1916 #259 Wilkinson-Bonar Law Parodi enclosure

As the witnesses then repudiated their former evidence, Fairtlough was unable to prove complicity in a Baboon murder against this Mohammedan chief whom he previously had praised for his loyalty and abstinence from drink.<sup>110</sup>

Justice was impeded by the difficulties, both of the colonial officials in getting evidence and convictions, and the innocent in not getting arrested and convicted. Investigations were in many cases carried out by unsupervised Interpreters and Court Messengers. Even supervision by European officials will be seen to have constituted no guarantee against abuse.

Interpreter Taylor's success in getting a murderer named in 1908 was despite admitted problems of obtaining reliable information. The manners in which he used 'the free hand' Reaney gave him can well be imagined in view of the fact that he was, four years later, proven guilty of having accepted bribes during an investigation and was relieved of his responsibilities.

Efforts of Protectorate administrators to deal with the crimes of the unlawful societies in the courts were additionally thwarted by the adroit use of the law and loopholes in the legal system of defence lawyers. The frustration caused by the successes of these men was heightened by the fact that many colonial officials held them, and indeed all Creoles, in low esteem. Even a person as far removed from the scene as Ellis viewed the lurid condition of 'the native in his primitive state' revealed in the trials as little

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110. S. L. A. C37 1913 27 April 1912 D. C. Fairtlough N. Sherbro

worse than 'the one baneful element for which the European is responsible-- the native lawyer.' 111

The system did not always work to the advantage of the accused, as many administrators had come to feel, nor necessarily to further the cause of justice however that cause might be defined.

#### A Case Study 112

The case of Paramount Chief Beah Kindo of Imperri highlights situations which, if present in any trial, make questionable the verdicts. Beah Kindo had in the past reported two deaths which the then District Commissioner, Fairtlough, had investigated with no satisfactory outcome. Upon learning of a third mortality in mysterious circumstances, Beah Kindo had tried his own hand at detective work. His failure to report the death had been found out by Interpreter Borbor and the Paramount Chief was reprimanded for dereliction of duty. Consequently he wrote immediately to Borbor, for the information of the District Commissioner, to report a fourth murder which had taken place in July 1904. The Paramount Chief was told by the Interpreter to investigate. Beah Kindo did so, made several arrests,

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111. P.R.O. 267/571 6 July 1916 #259 Wilkinson-Bonar Law  
Ellis minute

112. Unless otherwise noted the information in this study is based on P.R.O. 267/475 1 Jan. 1905 #25 Probyn-Lyttleton; The Weekly News, Freetown 21 Jan. - 1 April 1905 serialized report and commentary by A. J. Shorunkeh-Sawyerr; P.R.O. 267/478 5 June 1905 #237 Probyn-Lyttleton Hudson enclosure

and held these persons for Borbor, who came and took them to Page at Moyamba.

Two days after Borbor took custody of the prisoners, one of them named others involved in the murder and was released. Eventually others arrested by Beah Kindo implicated him for allegedly having had in his possession a bundle 'wrapped in blue baft and banana leaves' which was supposed to have contained a leopard knife. It is significant to note that at no time in any of the proceedings did any of the witnesses admit to having ever seen the contents of the package.

Borbor arrested the Paramount Chief and numerous others, and released the remainder of Beah Kindo's prisoners with the exception of one who had provided no information. The Paramount Chief and 21 others were committed for Circuit Court trial by the Court of the District Commissioner on the testimony of those whom the chief had originally arrested.

The outcome of Page's preliminary hearing was criticized by Judge Hudson who maintained that many presumably guilty persons had gone free due to the District Commissioner's lack of legal knowledge and training. The point of Hudson's criticism was that the Crown could not proceed against those accomplices used as witnesses.<sup>113</sup> It is well to question whether the outcome of Page's hearing could also be challenged on the same grounds for committing innocent people on the testimony of those suspect

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113. P.R.O. 267/484 8 June 1906 #156 Probyn-Elgin Hudson enclosure



witnesses.

The Crown's primary interest apparently was to have officials sufficiently competent to gather information and handle evidence to assure convictions, especially in such important cases as Wilberforce's. Hudson was also convinced that Wilberforce had gone free in 1906 only because Fairtlough, as Prosecutor, had mishandled the case for the Crown.<sup>114</sup>

Those committed for trial by Page were arraigned before the Circuit Court in September 1904 and defended by A. J. Shorunkeh-Sawyerr. It is as well that Page, not Fairtlough, prosecuted this case for the latter was of the opinion that Shorunkeh-Sawyerr and his fellow at the bar, T. J. Thompson, were probably themselves members of the Human Leopard Society.<sup>115</sup>

Although the testimony and proceedings of the trial and the published version of Shorunkeh-Sawyerr differ in emphasis and interpretation, they agree on the major issues and raise serious questions as to the administration of justice in this trial and in others which may have suffered similar handicaps.

Consensus is found on the problems of interpreters, the Prosecutor's lack of familiarity with legal procedure, admissibility of evidence, and reliability of witnesses. Certain complaints of the defence counselor appear to be as valid as certain of those made by District Commissioners and judges.

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114. P.R.O. 267/484 3 May 1906 #117 Probyn-Elgin Hudson enclosure

115. S.L.A. C120 1912 30 July D.C. Fairtlough N. Sherbro

When considering the validity of each side's complaints the full implication of each in terms of a just verdict fairly arrived at is the prime issue.

In the opinion of Shorunkeh-Sawyerr, and indeed as seen by the outcome of the trial, Page's lack of legal training did not handicap him in his role of Crown Prosecutor. To the contrary, the defence counselor complained that Page was allowed the privileges of a practitioner but not subjected to the obligations. Specifically Shorunkeh-Sawyerr cited that Page had irregularly volunteered information and observations and had been allowed by the Judge to interchange his role of District Commissioner with that of Prosecutor.

The truth of this accusation was a problem inherent in the administrative system of the Protectorate. For whatever comprehensible or justifiable reasons such a situation existed, the fact remains that the case against a defendant could be prejudiced by the plurality of the District Commissioner's roles. On the other hand, cases were dismissed from courts because the District Commissioner, in his capacity as law-enforcer or investigating officer, had compromised his position of Prosecutor.

Ultimately the case of Beah Kindo, as others, came down to choosing one set of witnesses as being more credible than the other. Confessed accomplices who had seriously contradicted their preliminary hearing depositions were favored in the last analysis over the main defence witness, James Kindo. Page, as Crown Prosecutor, challenged the testimony of James

Kindo because he was the defendant's son, and cast aspersions on his character no less than on his reliability as a witness. It is a point of irony that James Kindo was subsequently hired and praised by Page as his Interpreter and promoted by the District Commissioner as Paramount Chief.

Judge Hudson summed up the case to the three assessor chiefs through interpreters who were later cited by him and Page as having been inefficient and unreliable. As Page himself knew and often expostulated on, the role of interpreters is a critical one. Intentional or accidental mis-translation could result in an unjust verdict.

Judge Hudson's verbatim summing up appeared in the Weekly News of 18 March and 1 April 1905. The evidence of the Crown witnesses was reviewed in detail and highlighted; that of the defence was presented in an abbreviated form, with parts being pointed up as being 'strange.' Page subsequently applauded Hudson's ability to deal with the mass of contradictions.<sup>116</sup> Hudson's manner of doing so is shown in the following excerpts from the summing up:

"Possibly Ali Conteh may be mistaken or possibly the other witnesses, that is a point I ask you to consider. Ali Conteh is the Chief's Santiggi. It may be he would be inclined to favour the defence, but consider it."

"All denied it (looking inside a bundle) strongly and though they denied I was watching them and I am not satisfied they did not know what was inside; from the way they denied I think they knew."

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116. S. L. A. C20 1909 31 January D. C. Page N. Sherbro

"If what Kindo (James) says is true then all that these witnesses says is false . . . He is the Chief's son, you must consider whether you can believe that evidence against the word of all these people. "

When names were being considered to preside over the Special Commission Court in 1912, Assistant Parliamentary Secretary of State, George V. Fiddes, ruled out Hudson 'due to his folly and unfairness which caused the breakdown of the previous case against Wilberforce.'<sup>117</sup> The question must be raised if Hudson displayed similar characteristics at the trial in which he sentenced Beah Kindo to death.

#### Measures Taken Against Unlawful Societies

Securing a conviction was but one half of the battle against the activities of the unlawful societies. Detection and deterence constituted the other part of the administration's campaign. In times of large numbers of arrests the ineffectiveness of the judicial system to eradicate this class of crime was especially pronounced. Two levels of activity outside the judicial sphere came to exist: one conspicuous, the other concealed. Deterence was believed best achieved by frequent military patrols and a concentration of administrators in Imperri and Timdale, the most active areas of the Leopard Society. Detection, on the other hand, should be carried out by secret agents and detectives.

With the interpreting assistance of Chief Wilberforce, Probyn had

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117. P. R. O. 267/542 24 Sept. 1912 c. Merewether-Harcourt minutes on:

warned the people of the Imperri chiefdom at the end of 1904 that troops would be sent in the event of further murders. Accordingly, upon receiving intelligence in the spring of 1906 of a murder committed the previous October, Probyn dispatched 26 men under Captain Bond. The only reasons the military patrol was not sent to 'live on the country' but was supplied at Government expense, were to give the new Paramount Chief, Seh Kainjah, a chance and to strengthen his hand.<sup>118</sup>

Probyn praised the Captain to the Colonial Office, saying that Bond's tact, judgment and insight had kept the patrol from doing more harm than good.<sup>119</sup>

It is questionable whether Captain Bond's efforts did do more good than harm. His method of strengthening the hand of Seh Kainjah, who complained that his sub-chiefs and headmen would not obey him, consisted of threatening to quarter the troops on them if they did not swear an oath to support Seh Kainjah, to refrain from joining the Leopard Society, and to inform on members and suspects.<sup>120</sup>

The consequences of quartering troops on the people can well be imagined if the reports of rape and plunder by patrols, and promises of improved troop discipline by commanding officers, are to be believed. As

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118. P.R.O. 267/485 4 July 1906 c. Probyn-Elgin Probyn-Major Palmer enclosure

119. P.R.O. 267/485 4 July 1906 c. Probyn-Elgin

120. P.R.O. 267/485 4 July 1906 c. Probyn-Elgin Bond enclosure

the majority of such references were made by district officers there is little reason to doubt that there was a likelihood that the people would suffer whenever District Commissioners' staff or patrols went out among them.

Of the Northern Sherbro District during the 1912 'crisis' it was not only reported that many soldiers and Court Messengers were convicted of robbing natives. Willans found that during his absence 'the whole clerical staff at district H. Q. Bandajuma sent Court Messengers to various chiefs to bring in provisions for the troops, and converted them to their own uses without payment to the chiefs.'<sup>121</sup>

Feelings were mixed concerning the usefulness of secret agents or detectives to infiltrate the ranks of the Human Leopard Society. His experience as a district Circuit Officer in the Protectorate notwithstanding, Court Judge Hudson introduced the idea of importing a London detective of special skill and experience 'made available by the Home Office to local authorities for temporary service in the investigation of difficult and obscure cases of serious crime.'<sup>122</sup> Presumably that suggestion met with the same fate as Major Fairtlough's that an Indian C. I. D. be hired. Even if they could gain sufficient mastery of the language, their skin colour would not have gone unnoticed.

The use in earlier times of a former Sierra Leona Police Inspector

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121. S. L. A. C203 1912 4 October Acting D. C. Willans N. Sherbro

122. P. R. O. 267/484 8 June 1906 #156 Probyn-Elgin Hudson enclosure



to investigate leopard murders was cited by Hudson in his alternate proposal that detectives from Freetown be employed.<sup>123</sup> By the beginning of 1909, Page was reporting that agents hired from Freetown had become members of the Society and exposed its workings, and that wholesale executions had followed.<sup>124</sup> Fyfe's reference to the similar success of Colony Police used in the 1890's, who 'terrorized people into giving evidence,' has already been noted.

At no time did it occur to any of the colonial officials to apply the same reasoning used for the rejection of English and Indian spies to the hiring of Creoles. It does not seem credible that Creoles from the Freetown Police Force could successfully pass for Mendel or Sherbro and thus be privy to information pertaining to secret society matters.

The more logical course of hiring local people to act as spies was apparently abandoned after the one recorded instance of their use. The indigenous agents used in 1904 were deemed unfit as private detectives, and the records do not indicate that any others were used subsequently. It is likely that any information obtained by these unsophisticated spy systems was a result, not of successful infiltration, but intimidation.

In spite of the various means tried to deter and detect the activities of these secret societies, Protectorate administrators consistently main-

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123. Ibid.

124. S.L.A. C20 1909 31 January D.C. Page N. Sherbro

tained that the key to eradicating them was the tribal ruler. This belief no doubt stemmed as much from pragmatism as from conviction. While on the one hand it was stated that such incidents could not occur without the knowledge and approval of the chief, on the other hand it was realized that neither the money nor the manpower existed to terminate these alleged murders without the assistance of the chiefs. Attempts were made to give official sanction to what was believed to be a 'native law' making it necessary for people planning a meeting of a secret society to give notice to and receive permission from the chief. It was seriously contended that by officially recognizing this law it would keep unscrupulous chiefs from misusing their power. In addition such action would strengthen the hand of a weak chief by demonstrating he had Government support.<sup>125</sup>

Support of a weak or sympathetic chief and extraction of promises to forego Human Leopard activities were typical of methods used by the British administrators in hopes that such means would bring an end to the unlawful societies. The soundness of their strategy was belied by events time and again. Two years after Captain Bond's allegedly therapeutic visit, Seh Kainjah, his Speaker and one of his sub-chiefs were arrested in connection with an alleged leopard murder. Although there was insufficient evidence to prove participation or complicity they were deported from Sierra Leone in 1908.<sup>126</sup>

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125. P.R.O. 267/489 22 Nov. 1906 c. Probyn-Elgin Maxwell enclosure

126. S.L.A. 2131 1908 27 July D.C. Reaney Sherbro

Measures taken in Timdale to bolster up the tribal administration of Beah Kindo's successor, Humpa Pea Yumbo, seemed successful. In an impromptu note of commendation, Probyn recorded that despite the fact that the sub-chiefs had conspired against him, Humpa Pea Yumbo had managed to get this former centre of the Human Leopard Society in good order. After several years in which no leopard murders had been reported from his chieftom, the Paramount Chief was granted a special increment.<sup>127</sup>

That same chief summoned Page to his town in June 1909 claiming that his sub-chiefs and headmen were about to commit a murder. On the basis of the evidence brought forward by those same headmen, whose previous accusation of the Paramount Chief's role in another earlier murder had been ignored, Page decided to arrest Humpa Pea Yumbo and 30 Principal men of the Timdale chieftom for a murder committed in 1907.<sup>128</sup> All 31 were convicted of murder by the Circuit Court. While some of the death sentences were commuted, execution was carried out on many, including Humpa Pea Yumbo.

It is impossible to come to a conclusion about the validity of the outcome of such a convoluted case. There is something inherently suspect about the charges and counter-charges between the chief and those of his sub-chiefs and headmen who were not ultimately arrested and tried with him. The credibility gap widens as the normally level-headed Page was led to

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127. S. L. A. 1223a 1908 Probyn note on Col. Treas. record of 24 March

128. S. L. A. C104 1909 18 June D. C. Page (N.) Sherbro

believe that he was alerted from his sleep by Humpa Pea Yumbo's accuser because leopards were attacking. He maintained that he heard:

"a bad imitation of leopards in the bush. The acme of effrontery, audacity, and defiance of law and order has surely almost been reached when members of this notorious combination persistently endeavour to commit murder in the very town in which the District Commissioner is residing and has been for eight days. There can be absolutely no doubt that the town would have been rushed had we not made it clear that we were armed and would resist attack." <sup>129</sup>

Page's assurance cannot be shared when the method of this alleged human leopard is compared to those of others in the records. For whatever reason that Page was meant to believe that the human leopards were active, he was understandably discouraged that 'with so many of the principal men of the chieftdom in custody the members would not for a time at least remain quiescent.'

Certainly administrators can be forgiven for becoming obsessed with ending these occurrences which were costly in measurable terms of money and manhours and intangible expenditures of physical and nervous energy. It is not surprising that by 1909 Probyn, members of the Executive Council, and a number of District Commissioners began to request the Colonial Office's permission to establish a special tribunal. The extreme nature of the proposed irregular court is indicated by the fact that the 'evil influence of dishonest native barristers' in the Circuit Court was presumably to be

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129. Ibid.

removed.<sup>130</sup>

This is one of the outstanding examples of the detached and wider perspective of Colonial Office officials providing a necessary check on the recommendations and actions of local administrators. Zealous and unorthodox schemes to eradicate the Protectorate of these crimes were unacceptable whenever they ran in opposition to basic British values and policies or threatened to expose the Secretary of State to adverse public opinion and criticism. Although the district officers were in a position to resort to such expressly forbidden measures as the burning of towns, there is nothing in the records to indicate that the Colonial Office directives were not heeded in these cases.

The merchants and other literate inhabitants of the area were particularly given to seeking legal redress, and petitioning the Government about a wide variety of actual and imagined incidents and injustices. It is safe to assume that among their observations of irregular practices by Court Messengers and Frontier Police they would include any committed by the Europeans in pursuit of human leopards.

Colonial Office officials, while not unsympathetic to the problems in Sierra Leone, had to oppose disregarding rules of evidence or founding a special tribunal which could become another Star Chamber. It was pointed out that this infamous court was 'also based on the assumed inefficiency of ordinary courts to cope with extraordinary criminal cases.'<sup>131</sup> The less

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130. S. L. A. C120 1912 30 July D. C. Fairtlough N. Sherbro

131. P. R. O. 267/512 2 Feb. 1909 #61 Probyn-Crewe minutes on:

than encouraging response from the Colonial Office fortunately coincided with the assumption of direct administration over the most troublesome chiefdoms.

As "there appears to be but little reason to doubt that most of the 'big' men of Timdale eat human flesh with as much relish as a Sierra Leonean does Bunga (fish)"<sup>132</sup> British colonial officials were forced to suspend tribal administration in Timdale and in Imperri until such time as they could find people to be chiefs 'who would not habitually resort to murder.'<sup>133</sup>

Such a course of action was distasteful to colonial administrators for a number of reasons: direct administration was costly, requiring as it did an increased concentration of European officers. Furthermore, there was a philosophical belief in rule through the indigenous authorities. Administrators in Sierra Leone were optimistic, however, that direct administration would be able to maintain control and prevent murders; officials in London were hopeful. In either case the pressure for special machinery to try accused murderers was relieved.

Reinstatement of tribal administration in the two chiefdoms was sought as rapidly as possible at this time and in 1912 when they and several other chiefdoms were without Paramount chiefs and principal men. Timdale was under direct administration from June 1909 to September 1910; Imperri

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132. S. L. A. C104 1909 18 June D. C. Page (N.) Sherbro

133. S. L. A. C104 1909 8 May D. C. Page (N.) Sherbro



from June 1908 to January 1910. However short the colonial administrators may have felt these periods of suspension to be, they undoubtedly had an effect on the indigenous political structure.

It was Page's belief at the time of the demise of tribal rule in Timdale that there was only one person of sufficient standing and force of character to give tribal rule a chance: James Kindoh (Kindo), his interpreter.<sup>134</sup> Page apparently was not disturbed by James Kindoh's antecedents. Made Paramount Chief of Timdale in 1910 to succeed Humpa Pea Yumbo, Kindoh was arrested for human leopard involvement in 1912. However, Page's confidence in James Kindoh is seemingly vindicated by the fact that the Paramount Chief was one of the few to be re-instated after he was released without being bound over for trial.

In the other traditional centre of human leopard activity, Government-approved Alfred Gomer Kategbeh, who had been an interpreter in the Freetown Police Court, was elected Paramount Chief of Imperri in January 1910. He succeeded Seh Kainjah, but his term of office was even shorter despite praise and support for trying hard and recognition of being handicapped because his people were cannibals.<sup>135</sup> His flight from arrest in 1912 was halted and he was ultimately deported from Sierra Leone.

With the mass arrests in 1912 constituting so serious a situation that

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134. P. R. O. 267/520 on letter from Probyn sent 3 Sept. 1909 to Crewe

135. S. L. A. C37 1913 27 April 1912 D. C. Fairtlough N. Sherbro

West African Frontier Forces were dispatched from the Gold Coast, and renewed pleas from colonial officers in Sierra Leone, Harcourt reconsidered the question of a special tribunal. On the 23d of November 1912, Ordinance 18 of 1912, the Special Commission Ordinance, came into effect. In effect for one year, this ordinance provided for a Special Commission Court of three members who, without the assistance of assessor chiefs, would try people committed for trial before the Supreme Court or the Circuit Court for offences relating to the activities of unlawful societies.

Rather than the departures from the traditional requirements of testimony and evidence hoped for by Sierra Leone administrators, the Ordinance clearly stated that the practices and procedures of the Circuit Court would be followed, as would be the laws of the Colony. Among the innovations in procedure as were made was the requirement that the Commissioners had to concur in convictions. This was a seemingly far more stringent condition than the previous one where the verdict was essentially dependent upon the decision of one man. However, the powers granted this court far surpassed those of the Circuit Court. Those who had waged long and seemingly futile battles against the unlawful societies were no doubt encouraged by the fact that even if acquitted one could be expelled from Sierra Leone.

On December 16th 1912 the late Chief Justice of the Gold Coast, Sir W. Brandford Griffith, convened the first session of the Special Commission Court. Sitting with him at Gbangbama in Imperri were Acting Attorney

General Van der Meulen and Police Magistrate Beatty, who subsequently put his experience to good use and published a coverage of the trials. The Crown Prosecutor, E. D. Vergette, joined the Legal Staff at this time after seven years' experience as an Assistant District Commissioner in the Protectorate.

Of the 108 committed for trial, the Crown decided to proceed only against those charged with murder, and for lesser charges only against 'important' men. Many of the 71 for whom a nolle prosequi was entered, and many of the 294 who had been detained, faced enquiries by the District Commissioners to establish whether or not they were 'a danger to the peace of the community.' Among those deported on this charge were 64 Principal men of the Imperri, Jong and Timdale chiefdoms.<sup>136</sup>

Of the 34 people tried by the special tribunal during its five months of hearing the various murder, accessory, possession and membership cases, 15 were acquitted of whom 11 were then expelled from Sierra Leone. Twelve others were convicted and imprisoned in Sierra Leone or other Colonies, and seven were executed.<sup>137</sup>

#### Charges Against 'Important' Men

Bangali Margai, Paramount Chief of the Banta chiefdom, died in prison before being committed for trial. Milton Edgar Strieby Margai spent

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136. Beatty op. cit. pp. 80-82

137. Ibid. pp. 124, 125

7 1/2 months in custody before a nolle prosequi was reluctantly entered. Vergette's reluctance derived from both his apparent disappointment in being unable to proceed with the charge of murder and his fear that Margai, a prominent trader in Bonthe, would bring a claim for damages against the Government because of his lengthy detention. This fear was not realised though it can well be imagined that it might have been had the Government proceeded against this 'intelligent, English-speaking, American mission-educated man'<sup>138</sup> with no stronger evidence to corroborate that of complicity than the 'leopard mark'. This alleged initiation scar on the buttock had been the subject of continual legal controversy until the Special Commission Court in 1913 made the seemingly obvious opinion that such a non-descript scar could not be established as evidence of membership in an unlawful society.<sup>139</sup>

M. E. S. Margai's guilt or innocence was not therefore determined by a court of law. Although there is no reason to assume that he and others of his family were not connected with the activities of the Human Leopard Society, it is important to note that the people in his locality had good grounds for deliberately casting suspicion on him. One of the factors in the deposition of Bangali from half of his chiefdom in 1904 had been that he 'let 'Stribay' use people for forced labour without pay. 'Stribay' lent money to

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138. P.R.O. 267/467 23 February 1903 #36 King-Harmon-Chamberlain

139. P.R.O. 267/558 29 June 1914 #42 Merewether-Harcourt Maxwell enclosure; S.L.A. C71 1913 20 April Crown Prosecutor Vergette

chiefs who were then in his power and unable to protect their people against forced labour." 140

Griffith opposed the publication of trial accounts on the grounds that probably

"in 50 years time some of the descendants of the men concerned in these practices (for they are the most important men in their respective districts) will be men of repute, merchants of standing, civil servants or professional men." 141

It can be suspected that fear of legal reprisal also contributed to the decision to not allow the names of the arrested or accused to appear in Beatty's book.

The case of Daniel Flickinger Wilberforce deserves detailed consideration not only because it 'created exceptional interest locally by reason of the fact that the accused was a minister of religion and a man well known in the Colony and Protectorate.' 142 It is also an instructive way to examine the attitudes of colonial administrators, and the effects on the life of one accused of being involved in a leopard murder.

Wilberforce was born of parents whose origins were to greatly affect his later life. Both were British subjects, his father being a Creole and his mother from Imperri country within the Colony. Young Daniel was educated by the United Brethren in Christ (U. B. C.) and sent by them to the United

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140. P. R. O. 267/473 13 December 1904 #305 Probyn-Lyttleton

141. P. R. O. 267/555 5 June 1913 c. Merewether-Harcourt Griffith report enclosure

142. Beatty op. cit. p. 61

States in 1871 at the age of 14.<sup>143</sup> Upon his return as an ordained minister, he worked with United Brethren missions and in 1893 was sent to teach in Imperri. Shortly thereafter he was offered the chieftaincy because of connection through his mother. However, he declined in favour of his cousin through whom he hoped to exert a good influence on the people of the chiefdom.

With the outbreak of human leopard murders in the 1890's Wilberforce opposed the use of such 'country' methods as the burning of suspects named by 'witchdoctors' (Tongo Players). It was also reported that he rendered great assistance in securing the arrest of the cannibal leaders.<sup>144</sup>

This account of the Reverend J. R. King differs from that of Fyfe whereby a servant of Wilberforce's in Gbambaia was found murdered early in 1890. Fyfe further notes that Wilberforce himself seems to have suggested the Tongo Players be summoned when ordinary methods of detection had failed.<sup>145</sup> In either case, Wilberforce's subsequent implication in two leopard murders may well be related to his efforts in bringing the 'cannibal leaders' to either traditional or British justice.

Under the urging of Cardew, Daniel Flickinger Wilberforce agreed in 1899 to accept the paramount chieftaincy of Imperri, which had come vacant

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143. B.M.C. op. cit. Rev. R.R. Dougherty report of 27 April 1906 to Rev. S.S. Hough

144. B.M.C. op. cit. Rev. J.R. King report of 7 May 1906 to U.B.C. Dayton on D.F. Wilberforce

145. Fyfe op. cit. p. 145



with the execution of his cousin for participation in the 1898 Rising. The colonial administrators expressed delight with the ascendancy to Paramount Chief of such an educated, civilised, religious man who had demonstrated his desire to stamp out the 'cannibal' societies and to institute reforms to the liking of the colonial officials. However, after completing a tour of the Ronietta District in 1903, King-Harmon reported to the Secretary of State for the Colonies that he feared Chief Wilberforce's influence over the people was not very strong. He attributed this situation to the fact that 'Wilberforce's dress, life, severance from fetish, etc. all place him out of touch with his wild and lawless subjects, and but for moral support from the Government, his rule and life would probably come to a speedy end.'<sup>146</sup>

In March 1905 Fairtlough reported that Paramount Chief Wilberforce had been implicated in a Human Leopard Society murder which had presumably occurred shortly after Probyn's 1904 visit.<sup>147</sup>

Wilberforce's case drew great attention in the documents of the time and in years to come. For one thing the attitude of colonial administrators toward educated chiefs was ambivalent. On the one hand was the basic distrust and disdain which characterised their feelings about educated Africans in general. Not only had the shifting tide of opinion concerning Creoles in high positions contributed to this feeling but also the experience most Pro-

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146. P.R.O. 267/467 23 February 1903 #36 King-Harmon-Chamberlain

147. S.L.A. C920 1905 7 March D.C. Fairtlough Ronietta

tectorate administrators had with 'semi-literate chiefs', clerks, Court Messengers, Frontiers, and administrative staff.

On the other hand the selection of a chief educated in European ways was always heralded. In addition to the expressed reasons was, no doubt, the purely practical one of having a chief with whom administrators would have less difficulty making themselves and their instructions understood. The alleged involvement of a chief such as Wilberforce in a leopard murder therefore probably caused Government officials to feel discouragement as well as vindication of their underlying belief that it was best to not attempt to Europeanize the indigenous population. The obsession with securing a conviction against him may well have stemmed from a desire to make an example of him as a deterrent to future crimes of this sort. It may also have been generated by less noble sentiments.

A further issue in the 1906 case against Wilberforce was the legal tangles it caused. He claimed that as naturalized American citizen he was entitled to a jury trial in Colony courts. Although this claim was never clearly established, D. F. Wilberforce resigned from his paramount chieftaincy, and by virtue of his descent from a Liberated African was then eligible for trial by the Supreme Court of the Colony.

At the insistence of U. B. C. missionaries, the American Consul brought pressure on Government officials in Freetown and London to bring the trial to Freetown. It was felt that Bonthe, although part of the Colony,

would not be as objective a site. This demand was not met. Nevertheless, following a defense by the Creole barrister, T. J. Thompson, who likened his client to Jesus Christ and the trial to Passion Week and the Crucifixion,<sup>148</sup> Wilberforce was acquitted in April of 1906 by a jury of 'educated natives.'<sup>149</sup>

It may be presumed that Fairtlough developed his enmity for Thompson during the course of this trial in which he, as Crown Prosecutor, was defeated by the Freetown lawyer. Fairtlough was not a man accustomed to suffering defeat or receiving criticism. Hudson's charge that the District Commissioner's inept handling of the case had been responsible for Wilberforce going free increased not only his low esteem for such men as Wilberforce and Thompson but also his personal campaign against the Human Leopard Society. It can be suggested at this time that the District Commissioner's future acts concerning this society be seen in the light of a perspective distorted by this experience.

The year following his acquittal, the Reverend Wilberforce was appointed pastor of the U. B. C. Church in Bonthe. He remained active in U. B. C. work, according to their records, and in 1911 was 'making frequent visits to Imperri ostensibly for Christian work,'<sup>150</sup> according to the District Commissioner who wanted him kept out of the area.

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148. P. R. O. 267/490 2 April 1905 Probyn-Elgin Foreign Office enclosure from Judge Packard to Elgin

149. Beatty, *op. cit.* p. 69

150. S. L. A. C71 1911 4 May D. C. Reaney N. Sherbro

In July 1912 Fairtlough arrested Daniel Flickinger Wilberforce for involvement in a leopard murder.

The re-arrest of the Reverend Wilberforce prompted the passage of laws with the specific aim of obtaining his conviction. The cases of non-natives as well as of natives were to be considered by the Special Commission which could recommend expulsion from Sierra Leone even if the accused were acquitted.<sup>151</sup> To cover the contingency of Wilberforce being considered a naturalized American citizen as claimed in 1905, Ordinance 17 of 1912 also allowed for the expulsion of aliens.

Only the creation of the Special Commission made it unnecessary to pass the law which would have put a non-native charged with a Human Leopard Society offence under the jurisdiction of Protectorate courts. This proposal was admittedly a deliberate move to prevent Wilberforce from having a jury trial in the Colony and once again being acquitted.<sup>152</sup>

D. F. Wilberforce was defended by four members of the Freetown Bar, first against a murder charge, and then against the dual charges of 'being a member of the Human Leopard Society and taking part in operations of an unlawful society.' Insufficient evidence caused a verdict of not guilty to be entered against the murder charge and he was acquitted of the other two. The Court stated that as they believed 'he was so connected with the

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151. Ordinance #18 of 1912

152. P. R. O. 267/542 7 August 1912 c. O. A. G. Hollis-Harcourt  
Acting Attorney General Van der Meulen enclosure

Human Leopard Society that it was expedient for the security, peace and order of the District that he should be expelled from Sierra Leone.' <sup>153</sup>

He went to Liberia, was referred to a U. B. C. committee on investigation of character, and in June of 1914 was terminated as a minister. <sup>154</sup> It was not until an Order-in-Council of 24 February 1923 that his expulsion was revoked. Daniel Flickinger Wilberforce returned to Sierra Leone where he died a natural death in Bonthe four years later at the age of 70.

Trial testimonies are of as little help to latter-day historians as they apparently were in many cases to the judges at the time. The court records of Wilberforce's trials are a welter of contradictions and seemingly aimless questions with replies which seem, at least from this place and time, to be irrelevant or incomprehensible.

The case set before the Special Commission Court had been greatly weakened by the denial of two witnesses of the depositions given at the preliminary investigation in the District Commissioner's Court. Therefore, much of the proceedings concentrated, understandably, on attempting to get these two critical witnesses to return to their original statements which corroborated the evidence given by informers as to the presence of Wilber-

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153. Beatty, *op. cit.* pp. 68-69; Sierra Leone Expulsion Order of 24 May 1913

154. Minutes of the Annual Session of 1913 p. 16 U. B. C. West African Conference Historical Society EUB Dayton, Ohio; Woman's Evangel xxxiii #6 (June 1916) p. 221 UBC publication Dayton, Ohio; Sierra Leone Outlook XVIII #2 (March 1927) p. 11 UBC publication Dayton, Ohio

force in the vicinity at the time of the murder.

Although it is not possible to judge whether Wilberforce was involved with the activities of the Human Leopard Society, it is possible to suggest some factors which bear on this matter. It would be naive to assume that neither his education nor his calling would preclude his involvement with such an association. However, presuming his innocence, for argument's sake, the question then arises why he was named in connection with human leopard crimes. The very factors which King-Harmon identified as alienating Wilberforce from his subjects may have made him sufficiently unacceptable as a ruler for them to seek his removal in this fashion. It is equally, if not more, likely that the revenge theory could be applied to those seeking retribution for lives lost as a result of Wilberforce's actions in the 1890's leopard murders.

#### A Decline in Reported Leopard Murders

At the end of 1913 the powers given to the Special Commission Court to recommend expulsion were transferred to the Circuit Court. Periodic references to Baboon, Leopard and Alligator Society murders appear, but as Fairtlough observed in his 1915 report of the Northern Sherbro District, the numbers of detected murders had decreased greatly. He attributed this phenomenon to several factors including the patrolling by members of the West African Frontier Force, the deportation of so many people after 1912,



and the fact that the people were far better at concealing their crimes.<sup>155</sup>

It is possible to interpret the drop-off of deaths attributed to the activities of unlawful societies in several other ways. The momentum of hysteria may have burned itself out with the last great purge of 1912, or been halted by turnover in the administration from the level of the chiefs up to that of the Governor.

In whatever way these deaths are considered-- as caused by real or human leopards or from a political or purely administrative point of view-- the apparent dramatic decline in incidence after the 1912 purge must be viewed as much in terms of actual decrease of deaths as of a change in the attitude of the colonial administration. It can be argued that the focus of attention shifting away from the unlawful societies is attributable to an actual decline in their activities, and therefore to a reduction in the need for constant vigilance.

However this explanation does not allow for the self-fulfilling prophecy which was seemingly operative until 1913. The more concerned colonial administrators had become about secret society murders, the more they had looked for them. The more they had looked for murders ascribed to secret societies, the more they had found. It is unlikely that a man like Fairtlough relaxed his vigilance; certainly he did not seem to believe that

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155. P.R.O. 267/565 21 May 1915 #262 Merewether-Harcourt  
Fairtlough enclosure

the crimes had ceased, but that fewer numbers were being detected.

The advent of World War I had bearing in several respects on this matter. During the war the European staff in the Protectorate was significantly reduced, and its attentions diverted to other concerns. As a result of the war there was a marked turnover in personnel in the Sierra Leone Government.

Newcomers to the British administration in Sierra Leone would not likely have been significantly exposed to Secret Society legend and history. Most officials were probably briefed about their activities. However, it would seem unlikely that the majority of the new additions to the Protectorate staff would go in quest of these murders with the conviction and zeal of administrators who had years of first-hand experience with such cases.

The more recently appointed District Commissioners and Governors lacked the pioneer experiences of a Fairtlough, Alldridge, or Cardew. Instead of being aged or tired professional soldiers or businessmen-turned treaty-maker, they came to Sierra Leone in the years preceding and during World War I groomed for colonial service. They came with youth, good health, and diversified education and training. This new breed showed a tendency to look more to the future and to concentrate on development than to eradicate presumed evils and to search for potential trouble spots.

Fairtlough's deposition of an unusually high number of chiefs in 1915 and 1916 led to an investigation of the cases. The findings revealed a scan-

dalous state of what the records refer to as 'maladministration.' Grossly over-assessed tax lists, arbitrary judicial decisions, and payment of incentives to clerks and Court Messengers which far exceeded their annual salaries characterized the judgment with which this, the most experienced, District Commissioner had administered the Northern Sherbro. More alarming than the revelation that this 'rough and unpolished soldier' had been divorced for violence was that in 1910 Probyn had expressed the fear that Fairtlough's long stay in Sierra Leone had undermined his health.<sup>156</sup> It was felt by Wilkinson and the Colonial Office staff alike that his qualifications were probably more those of a pioneer than an administrator in a settled country and it would be well if he retired after the war ended.<sup>157</sup>

At the age of 48, Edward Charles d'Heillemer Fairtlough retired after 23 years service in Sierra Leone on a pension of £400 a year.<sup>158</sup> It is left to speculation at which stage of his administrative career his judgment became warped, his energy sapped and his usefulness impaired.<sup>159</sup> This is not an idle question in view of the fact he was personally responsible for the majority of the arrests made of people suspected of involvement in Human Leopard Society activities during the period under consideration.

The entire issue of leopard murders and their apparent decrease can

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- 156. P.R.O. 267/572 28 October 1916 c. Wilkinson-Bonar law minutes on:
  - 157. Ibid.
  - 158. P.R.O. 267/574 24 January 1917 c. Wilkinson-Long Fiddian minute
  - 159. P.R.O. 267/574 24 January c. Wilkinson-Long

be approached from an angle additional to the one of cessation of administrative vigilance. Were there really as many murders as was believed, by administrators and perhaps indigenous population alike?

In September 1917, girls attacked by an ape were taken to the Northern Sherbro District Dispensary where the Dispenser and the West African Frontier Force soldiers present concluded the wounds had been the work of a human baboon. Lt. Cross, the officer in charge, led a search of two villages. The result of 'this illegal and ill-considered act' was that 'plundering took place and a girl was raped.' <sup>160</sup>

The above case was but one example of innocent villagers being abused because it was wrongfully believed that unlawful societies were responsible for the injuries or deaths caused by an animal. As a result of this 'regrettable mistake' Wilkinson forwarded to the Colonial Office information about such attacks and deaths by leopards, crocodiles and baboons.

A year earlier Stanley in fact had prepared a report of similar cases he had encountered during his years in the Protectorate. <sup>161</sup> Such detailed instances of mistaken identity, chiefs travelling long distances with bodies of leopards and crocodiles containing human remains apparently are available only after 1911 and only in areas where Stanley had been. As he served

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160. P.R.O. 267/575 18 September 1917 c. Wilkinson-Long

161. S.L.A. C247 1916 30 September D.C. Stanley N. Sherbro 30 Sept. Printed as Confidential #17 1916 and 'dispersed' but not to London until 18 Sept. 1917 See Appendix F

as District Commissioner in four of the then five existing Protectorate districts at one time or another, it cannot be assumed that such occurrences were limited to Stanley's jurisdiction.

The sources of information leading to investigations, arrests, depictions, deportations and executions must be carefully examined to reveal ulterior motives. The mere hint of such motives must place under suspicion the veracity of the information, and even the existence of a murder. In the case cited above, the Dispenser and some of the N. C. O. 's of the Frontier Force deliberately misled the officer in charge, who had only been in Sierra Leone nine months and had been reading up on the Human Leopard Society. Stanley stated that the probable motive was the desire to revert to a prior state of affairs of uniformed natives receiving good treatment from terrorized natives.<sup>162</sup>

The motives aside, this incident is not the only case of a suspicious source of information. Some alleged murders were not discovered for years and only then when someone decided to turn informant. 'The accidental presence of an ex-W. A. F. F. who called a Court Messenger to a dying boy',<sup>163</sup> led to the arrest of Ahmadu Kai Kai. Often it was a Court Messenger who relayed alleged information to the district officer.

Fairtlough specifically cast aspersions on the corps of Messengers,

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162. P. R. O. 267/575 18 September 1917 c. Wilkinson-Long Stanley enclosure

163. P. R. O. 267/571 6 July 1916 #259 Wilkinson-Law

saying as they were all nominees of chiefs, and all chiefs were members of secret societies, it followed that the Court Messengers were therefore either members or controlled by the societies.<sup>164</sup> This conviction did not keep Fairtlough from using his Messengers to their fullest, unrestricted capacities. It is ironic that neither Fairtlough nor his colleagues refrained from acting on information provided or relying fully on investigations conducted by a class of people many officials considered more debilitated in their half-educated, half-civilized state than the indigenous population they were governing.

When considering the question of how many murders actually were committed, one must also look to the chiefs and villagers as possible sources of erroneous information. The forces motivating people to make false reports could be many: compliance with British orders in order to clear their name out of fear of reprisal for failure to report; belief and fear that such societies did exist and the desire to have them eradicated; to stir up trouble or implicate someone else.

In order to rid themselves of officials who bribed and threatened, to bring an end to patrols that looted, extorted, burned and raped, or even for fear of wrongful accusation and conviction one might well perjure oneself and offer up names, dates, and descriptions of an imaginary event or a real one of which they had no real knowledge.

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164. P.R.O. 267/551 17 Sept. 1913 c. Merewether-Harcourt



With forces like these at work, and indigenous government officials with sufficient motive for creating the impression of a human, not real, leopard death, it is difficult to accept at face value the statistics provided by the initially unquestioning British administrators.

### Political Implications of Leopard Murders

The methods of investigation, and court procedures undoubtedly caused the arrest and even conviction of innocent people. One of Lord Crewe's objections to a Special Tribunal was that they tended to convict someone, 'even if not the guilty one.'<sup>165</sup>

However, no government has arrived at a fool-proof system of justice, and it would be a mistake to assert that all chiefs accused of involvement in secret society activities were innocent. However, it is not incredible to consider implication by administrative definition as a convenient way to get rid of an unpopular chief. Seh Kainjah's sub-chiefs and headmen had to be threatened to obey him. King-Harmon expressed concern about the hostility and disobedience encountered by Chief Wilberforce. The subsequent astonishment of government officials that such an educated, religious man would fall to such depraved depths does not take into account the position taken by the Reverend Dougherty at the time of Wilberforce's first arrest. Dougherty, who was Principal of the Albert Academy and the American

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165. P.R.O. 267/512 2 Feb. 1909 #61 Probyn-Crewe

Vice-Consul, reported to U. B. C. Headquarters that he believed 'Brother Wilberforce was a victim of a desire of the interior natives to get rid of him on account of his foreign education and training.'<sup>166</sup>

Of more recent times, Little suggests that cannibalistic murders may have been committed for the purpose of casting suspicion, in the eyes of the British administration, on some local political figure, such as the Paramount Chief. By discrediting the latter, the murderer would hope to secure his removal.<sup>167</sup>

Dougherty maintained that the prevalent theory that no cannibalism could take place without sanction and participation of the chief 'made it possible for members of the tribe to commit cannibalism and thus implicate an unpopular chief.'<sup>168</sup> Despite D. F. Wilberforce's termination from the services of the Church, a U. B. C. missionary who had known him and lived in his area during the years in question was adamantly of the same belief as Dougherty when she was interviewed by the author many years later.<sup>169</sup>

The government axiom, like the government ruling policy in general, had inherent contradictions. At one and the same time colonial officials

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166. B. M. C. op. cit. Dougherty report of 8 December 1905 to Hough

167. Little, Mende op. cit. p. 233

168. B. M. C. op. cit. Dougherty report of 27 April 1906 to Hough

169. Interview with Mrs. Mary Albert Hough 22 August 1966 Dayton, Ohio. Mrs. Hough went as a missionary with her first husband the Reverend Albert, after whom Albert Academy is named, to rebuild the U. B. C. Mission at Rotifunk in 1899. Her associations with and years in Sierra Leone did not end with the drowning death of Albert, for she subsequently married the Reverend S. S. Hough.

arrested chiefs for complicity yet spoke of assisting other chiefs who 'feared secret societies existed.' There is a contradiction between the assertion that the chief had to give permission for all secret society meetings, and reports of cases such as one where "a trial by ordeal to 'make medicine' was held unknown to the chief and without his permission."<sup>170</sup> The fact that it is not evident that all chiefs were aware or apprised of events in their areas, taken in conjunction with the fates of so many upright Government-supported chiefs supports the possibility that there might be explanations as valid as Reaney's contagion theory:

"I can't think that D. F. Wilberforce when first made chief could have contemplated being a member of the Human Leopard Society, nor Goma Kategbeh, nor Humpa Pea Yomba. On accession each intended nothing else but to run straight and aid in ending the Leopard Society, yet each succumbed to some influence and became implicated. I don't know what influence-- maybe the hope of aggrandisement or fear, but the fact is any elected to rule in Timdale or Imperri in recent years falls victim."<sup>171</sup>

Reaney's description is of a self-perpetuating situation. Administrators were watchful of areas where leopard murders had occurred previously. These district officers would be more likely to detect such crimes than administrators who had not been alerted to the presence of unlawful societies in their areas. It is therefore possible that had other chiefdoms been under the scrutiny of Timdale and Imperri a succession of other chiefs

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170. S. L. A. 2241 1907 21 November A. D. C. Bowden-Acting D. C. Paling Railway

171. S. L. A. C145 1912 28 August Acting D. C. Reaney N. Sherbro

would likewise have been arrested.

The fact that many of the chiefs who were implicated in these crimes were educated need not imply that alienation from their people caused them to be deliberately framed. The very qualities which might be argued as alienating factors were ones which placed the chiefs in the limelight and in constant contact with the British officials. Such conditions would increase the changes of detecting criminal activity.

Although after 1913 administrators would increasingly voice skepticism of the extent of unlawful society murders and would refer to their political overtones, these men were unable or unwilling to explore this topic further. Nor did they extend it to the possibly logical conclusion that the chiefs had been framed. This omission does not necessarily detract from the suggestion that one of the political uses of the secret societies was to implicate and thereby get rid of an unpopular ruler. It is one thing to be removed in time from the obsession that one was surrounded by the operations of murderous secret societies, and to admit to arbitrary actions and assumptions. It is quite another issue to expect Protectorate administrators to undermine the fundamental premise on which an administration of indirect rule was based. In order to work effectively through the chiefs, colonial officers had to believe that the position of chief was the one of ultimate power, influence and source of information in the indigenous political system. Such an assumption would be incompatible with any which raised the

question whether or not important happenings could take place in a chieftdom without the knowledge and sanction of the chief.

There are unlimited reasons for trying to get rid of a ruler. Most political systems incorporate methods for achieving such an end, but not infrequently illegal or even violent means are resorted to. It is not possible to state whether or not political murders of the type under consideration were part of the indigenous political system. The records do not indicate or infer whether such societies and their activities were a structural recourse for the general populace or the big men on their behalf, or purely an external organisation not necessarily involving the big men. In either case the method of implicating a chief could be used with the knowledge and approval of many or of only a few.

Personal gain or revenge could equally well be motives for the removal of a chief or other 'big men' as unpopularity or incompetence. The actual removal of a political rival would be the most obvious gain. Alternatively, use of terror tactics could be effective in undermining the position of a chief.

It must be acknowledged that the chiefs were in an ideal position to use similar methods. Furthermore, the fact that initial investigations in many cases were left to the chiefs, like Beah Kindo, provided them with ample opportunity 'to vent revenge and come down on an enemy.'<sup>172</sup>

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172. Hough op. cit.

A variation on the intimidation theme was provided by George Domingo, Madam Caulker's Speaker in Shengeh. After her deposition, he threatened to denounce people as belonging to the Human Leopard Society unless they chose him or his nominee as Paramount Chief.<sup>173</sup>

If the proceedings of the unlawful societies were sufficiently secret to exclude the bulk of the population, it would then be possible for the people, in addition to the colonial administrators, to be convinced that such activities were widespread and did in fact involve the indigenous rulers. Such a situation has several implications for the political structure and for the power of the chief. Belief that the leopard or a similar society was operating in their area could cause the people either to fear their rulers, or to turn against them not wanting to experience the hardships brought about by patrols and investigations. A further recourse was to abandon their rulers and flee to Liberia as reportedly happened in 1919.<sup>174</sup>

The position of the few chiefs who, after being accused and acquitted, were allowed to return to their chieftaincies was seriously affected. On the one hand, they were no longer able to maintain control over the people, who either had wanted them convicted or were terrified that they had been guilty and would resume unlawful society activities. On the other hand the fact that these chiefs were undoubtedly under constant surveillance and suspicion

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173. P.R.O. 267/511 5 January 1909 c. Probyn-Crewe

174. P.R.O. 267/591 20 May 1921 #255 O. A. G. Maxwell-Churchill  
Ross enclosure



by the District Commissioners would undermine their power and effectiveness as tribal authorities.

The variables concerning reports made or neglected to be made reflect on the issue of the total volume of secret society murders. They also indicate possible areas of effect on the Protectorate administrative system, and the indigenous chieftdom administration beyond the overt removal of a tribal ruler.

Attacks of real leopards or other animals being reported as the work of human agents could be done to intentionally mislead, or as a result of 'a great disposition on the part of adults to attribute attacks to human agents.'<sup>175</sup> The converse could equally be true: failure to report any leopard attacks would be logical if the people, believing that the secret societies were at work, were trying to avoid revenge, patrols and mass arrests. In either case statistical evidence of these crimes suffers accordingly.

Such silence was not always without consequence. Stanley reported that 'in such cases it was not unusual for unscrupulous people to take advantage of reluctance to report leopard attacks.'<sup>176</sup> People undoubtedly refrained from coming forward with information concerning leopard deaths or leopard murders because political officers traditionally disbelieved them,<sup>177</sup>

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175. Ibid.

176. P.R.O. 267/575 18 September 1917 c. Wilkinson-Long Stanley enclosure

177. Ibid.; also Sierra Leone Government Confidential Print #17 of 1916 dated 30 September

and they saw the futility of notifying a colonial administrator whose investigations and trials left the guilty free and innocent people convicted. Fear of accidental reprisal at the hands of the Government or revenge of the secret societies were probably less conscious factors than the fact that most Protectorate people were not accustomed to taking indigenous matters to the British authorities.

The Paramount Chief had every reason to fear that he would automatically be accused of some degree of involvement in any cases he reported. Thus on the one hand the chief was expected, as part of the Protectorate administration, to assist in the efforts to end the activities of the unlawful societies. On the other hand, however, the chief was under suspicion and in many instances surveillance, and was kept from providing information which might help to achieve this end by the administration itself. Certainly his effectiveness for purposes of Protectorate administration was restricted in this instance.

There are also political connotations of motives for Paramount Chiefs sending in reports of leopard attacks and deaths. The desire to appear favourably in the eyes of the British administrators is as likely as the one to point the finger of suspicion at someone else. A chief might therefore advance his position with the Protectorate administration at the same time that he eliminated opposition in the chiefdom.

### Further Implications of Leopard Murders

In addition to the suggested effects on indigenous power and political structures cited previously, there is the overall consideration of the social, political and economic stability of a chiefdom being upset. The frequent removal of chiefs and principal men would cause their normal functions and responsibilities to be neglected until their successors were elected and established in office. Searches, extortion, plunder, exodus and mass arrest disrupted everyday life as well as agriculture and trade. Those who were arrested and released or acquitted often returned to find they had suffered loss of property, income, dignity and reputation. Many fell to ill-health during the months of detention in the gaol. Whether one had been guilty or not, suspicion would always be in the minds of the British administrators and one's kith and kin.

The incidents surrounding these unlawful secret societies and their alleged activities no doubt affected the manner in which British administrators regarded the Protectorate peoples in other respects, other than suspicion of acquitted rulers. District officers expressed contempt for people given to such practices, and many came to believe that the entire population of these areas was corrupt or corruptible. Certainly such negative opinions cannot be considered a healthy basis for the relationship between the inhabitants of the Protectorate and their administrators. In many cases there was an attitude of futility surrounding the efforts of some District Commissioners to

both advance the condition of life of the people and to eradicate their evil practices.

The successful administration of the Sierra Leone Protectorate depended as much on the trust of the indigenous population as of the administrators. The episode under consideration could not have failed to have undermined the position of the administration and their attempts to instill respect for the British system of justice. Officials of the Government seemingly were allowed to rape and plunder. Many people would not distinguish between one uniformed official and another. Hence European officers would be regarded with fear and distrust, or with resentment for not preventing the abuses. The impartiality and integrity of Court Messengers, Interpreters, and assessor chiefs were publicly questioned. However, public censure or dismissal of a Court Messenger or Interpreter would be little consolation to a family of a person executed on the basis of information or testimony provided by that official. Furthermore, the records do not show any inclination on the part of colonial officials to reconsider cases in which officials subsequently found to be unreliable had been key figures. District Officers regarding bearers of information as liars would also do little to encourage people to turn to the Government with their complaints and local disputes.

It would be unlikely that the average person could see the subtle difference between being convicted and deported, and acquitted but still deported.

The introduction of the values and practices of the English judicial system was foremost among the aims of the Protectorate administration. However, the detentions, bribery, procedural difficulties, bias, and presumed miscarriage of justice surrounding the human leopard cases could only have had the opposite effect.

It is significant to add that the main concern of all colonial officers was to apprehend the murderers and bring to an end the unlawful societies. The suspension of tribal administrations was regretted, but probably more for the inconvenience and cost incurred than for the fear of irreparable damage to the indigenous political structure. Deportations were made to rid the area of presumed troublemakers to maintain peace and order. This state of affairs was desired as much for the sake of the people to resume their normal lives as for the administrators to have the fewest possible problems. Beyond the expressed hope that punitive measures would drive people away from these societies there appears to be no consciousness on the part of British administrators of the possible impact of the incidents of this period on the system of tribal rule, the lives of the people, and the relationship between the Protectorate inhabitants and Protectorate administration.

In most cases neither the administrators nor the governed were able or inclined to identify with the aims and interests of the other. As difficult as it was for Protectorate administrators to see beyond their immediate

concerns to consider the effects on the indigenous population, it would be equally hard for the Protectorate people to appreciate the considerations of the administration.



## CHAPTER VI

## EDUCATION

## Introduction

Education was not an important aspect of colonial policy until the latter years of the period under review. This fact was entirely in keeping with the prevailing sentiments about educated Africans which also contributed to the principles of governing through the chiefs and upholding the 'tribal system.' Maxwell, in one of his many amateur anthropologist reports, described the 'native' who had been drawn from his 'tribal System through injudicious methods of education or other causes' as one who had 'developed a craving for outward and less admirable forms of European civilisation, professed to despise his own people and chief, and become a morally deteriorated being.' <sup>1</sup>

Such a statement was representative of the attitudes of most colonial administrators at the turn of the century. Locally, reaction against the Creoles combined with the philosophy of keeping protected peoples separate and unspoilt. This was first reflected in educational policy by the decision to open a school at Bo for, as Porter says, 'sons of chiefs and potential chiefs, and later for others who would have ordinarily gone to Freetown for

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1. P. R. O. 267/522 25 April 1900 #209 Probyn-Crewe Maxwell enclosure

their education.'<sup>2</sup>

### The Bo Government School

Although there were a number of mission schools in the Sierra Leone Protectorate at the turn of the century,<sup>3</sup> the Sierra Leone Government did not have control over their curriculum or standards. In 1904, to assure future generations of enlightened and literate chiefs, Probyn proposed the establishment of a school for the sons and nominees of chiefs. The school was to be located at Bo, a commercial center in the Bandajuma District, a predominantly Mende area. The selection of this site reportedly was made because empty railway construction bungalows were available.<sup>4</sup>

The details dispatched to Lyttleton were for 'a technical and agricultural school limited to sons or nominees of Paramount Chiefs,' and intended for 200 students from the ages of seven to eighteen. It was suggested that the 7-11 group be the constructive level, receiving object lessons and learning conversational methods, while the 10-14 year olds would continue these pursuits, and commence a normal elementary program. The last four years were to be devoted to technical training in agriculture, carpentry or iron work, as well as general education in politics, history, sanitation, science and mathematics. All levels would be interested in developing imagination,

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2. Porter, op. cit. p. 68

3. See Riddell, op. cit. and Sumner, D. L. Education in Sierra Leone (Freetown, 1963)

4. S. L. A. C42 1916 April 20 N. Sherbro

observation powers, proficiency in numbers and ability to measure, equate, and exchange. Moral aims included the inculcating of tidiness, order, system and a sense of responsibility.<sup>5</sup> Their living conditions and wearing apparel were to resemble customary, not European ones. Such aspects were to prevent students from becoming contemptuous of 'native' life as they did when educated in Freetown.<sup>6</sup>

The foundation stone was laid on the thirteenth of September 1905 at a ceremony to which Paramount Chiefs were invited, and those who attended received cash presents to encourage their support of the school.<sup>7</sup> Haddon-Smith, as the Officer Administering the Government, stated in his speech that the proposed course was designed to make the Chiefs' sons 'good and useful, and capable rulers in their chiefdoms.'<sup>8</sup>

In March of 1906 the Bo School opened, and as a political institution with 'peculiar aims and character' was outside the ordinary jurisdiction of the Education Department. It was not until 1923 that it was suggested that the school be put under that department for administrative purposes. The Principal was the Reverend James Proudfoot, who had been the General

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5. P. R. O. 267/473 30 December 1904 #320 Probyn-Lyttleton

6. Porter, op. cit. p. 68

7. S. L. A. 4924 1905 13 September O. A. G. Haddon-Smith A sum of £47/10 was presented to 12 Paramount Chiefs in attendance.

8. P. R. O. 267/491 2 February 1906 letter from E. W. Blyden to Secretary of State Lord Elgin

Superintendent of the United Methodist Free Church. He was assisted by Thomas Smith, who succeeded him in 1914.

The composition and the calibre of the staff varied during the eighteen years under review. The underlying principle was to have a core of European masters with African interpreters who were to become teachers as they learned from the Europeans. This system would allow the Government to reduce expenses as they replaced European teachers with African. The documents are not clear as to whether the 'native' or 'African' interpreters were people indigenous to the Colony or to the Protectorate. However, it can be inferred that they were the former for they were found to be unsuitable on the grounds that Sierra Leone schools did not teach the Bo curriculum.<sup>9</sup>

With the institution of the prefect system in 1911 and the revision of Government policy against employing Bo graduates, the staff at the Bo School underwent a change in composition. When the Phelps-Stokes Commission visited the school in 1920 they found a European Principal and eight 'native' teachers, all but one of whom were ex-pupils. The exception was the Mohammedan Arabic teacher. Three of the four Europeans assigned to the school were on leave at the time, but this did not prevent the Commission

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9. P.R.O. 267/485 11 July 1906 #219 Probyn-Elgin;  
P.R.O. 267/539 3 April 1912 #130 Merewether-Harcourt

from giving the staff and school a favourable report.<sup>10</sup>

### Products of the Bo School

In June of 1908 Mr. Proudfoot's three year trial period was up, and it was necessary for Haddon-Smith and the acting Colonial Secretary, Evelyn, to evaluate his work and the success of the school. In the dispatch to Lord Crewe containing these reports, Haddon-Smith noted that although he felt the school was a success, the results would not show for some years until the boys returned to their chiefdoms.<sup>11</sup> From the ground-breaking ceremony promise that no pupil would be employed by the Government to the time when the first Bo pupils were about to graduate and return to their chiefdoms, the Government fully intended that the boys would settle down to leading useful lives assisting in chiefdom affairs and educating their people. Such a policy was founded on the unrealistic desire to educate without stimulating interests and ideas which would spoil the graduate and alienate him from his customary ways of life. To reinforce this ideal, the Government closed many possible escape routes from the chiefdom by refusing to employ Bo graduates in any Government services.

The first indication that the students might not be able to assume the

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10. Jones, Thomas Jesse Education In Africa: A Study of West, South and Equatorial Africa by the African Education Commission, under the Auspices of the Phelps-Stokes Fund and Foreign Mission Societies of North America and Europe (New York, 1922) p. 115
  11. P.R.O. 267/504 26 June 1908 #311 O.A.G. Haddon-Smith-Crewe

responsibilities designated for them was the introduction of the prefect system four years after the school opened. Chiefs were asked if they would agree to an extended course which would better prepare the boys. This request purportedly was based on the assumption that most of the pupils would want to open schools in their chiefdoms. As Government-supported pupil-teachers, the prefects would receive class and individual instruction and £6. A not insignificant feature of the prefect system was that it would enable the Principal to decrease the number of 'natives' on the staff, who had proven unsuitable in their duties.<sup>12</sup> The system was so successful that by 1914 there were both junior and senior prefects, whom the new Principal intended would become assistant teachers at Bo, and teachers in the Government Elementary Day Schools.<sup>13</sup>

The same year that the prefect system was begun Proudfoot instituted another program, subject to the approval of the chiefs, which would supplement the training received at Bo and provide additional useful skills. When the boys finished they would be too young to take any important part or exert any real influence in their chiefdoms. Furthermore it was believed that the sudden change from school discipline to the freedom of 'native' social life would render them liable to lose many of the advantages of their training. As a result, several boys each year were attached to the Agricul-

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12. P. R. O. 267/522 12 April 1910 #134 Probyn-Crewe Proudfoot enclosure

13. P. R. O. 267/560 22 September 1914 c. Merewether-Harcourt



ture Department for three years after they had finished their course at Bo.

As it was necessary to avoid any semblance of Government employment, the agricultural scholarship program had to be carefully devised and carried out. Hopkins, the Director of Agriculture, and his assistant, N. W. Scotland, planned the syllabus for each successive year, and sent annual progress and conduct reports to the Principal of Bo, as the pupils were still officially attached to Bo School. As early as 1914 the number of annual scholarships was increased from three to five.<sup>14</sup>

In addition to the practical advantages of further training tiding senior students over the transition years and providing knowledge which would be of great value in the management of chiefdoms, this program was consistent with the underlying education philosophy of colonial administrators. Intelligent tillers of the soil was the desired alternate occupation to ruling a chiefdom of any of the indigenous population who received education. The attitude prevalent among Sierra Leoneans that manual labour was degrading was to be avoided at all costs.

However, the majority of the students were not affected by the prefect or agricultural scholarship schemes, and they were returning to their chiefdoms upon the completion of their courses at Bo. The fears of the political and educational officers were realized, for many of the pupils were

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14. S. L. A. C.S. 548 1913 14 December Proudfoot; P.R.O. 267/560 22 September 1914 c. Merewether-Harcourt enclosure

reportedly not leading useful or exemplary lives in the chiefdoms, and the chiefs were disappointed with the way their sons had turned out.

Although there were some chiefs' sons who, upon returning home, had assumed worthwhile positions assisting their fathers, it appears that most did not. The District Commissioners in their reports <sup>15</sup> noted that Bo graduates became petty traders, professional letter- and petition-writers, and one had been convicted for activities in the Human Leopard Society. <sup>16</sup> The district officers agreed with Proudfoot and Smith, who had repeatedly urged the Government to rescind the regulation banning Bo graduates from employment in the Government Services.

By the middle of 1914 Merewether had instructed the District Commissioners to get the chiefs' reactions to the removal of the ban. The replies confirmed the statements of the Protectorate administrators and the officials at Bo. Even in the Koinadugu District, every chief spoken to by Stanley was reported to have said that the Bo School would hold greater attraction if pupils were allowed to enter the Government Service, preferably in the Protectorate. <sup>17</sup>

At the end of October the restriction was partially removed, and

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- 15. P.R.O. 267/560 16 October 1914 #561 Merewether-Harcourt Fairtlough Northern Sherbro report
  - 16. S.L.A. D.C. Railway #6 1915 30 December 1914 Warren; S.L.A. C42 1916 29 February 1915 D.C. Stanley Ronietta
  - 17. S.L.A. C.S. 352 1914 31 July D.C. Stanley Koinadugu  
The consensus of the other chiefs interviewed by all the District Commissioners, and recorded in this minute paper, was the same as the Koinadugu chiefs.

employment in schools, or in such departments as Agriculture, Forestry or Roads was recommended.<sup>18</sup> It was not until 1916 that Bo School graduates were allowed to take the Civil Service Entrance Examinations. Eight of the first nine who sat the exam passed and six of the second nine. Of the successful candidates, most became 6th grade clerks with District Commissioners, while three became temporary teachers at Bo, and one an assistant teacher at the Government Elementary Day School at Bumpe.<sup>19</sup>

Although the removal of the ruling prohibiting employment of Bo students in Government Service did not prevent boys from becoming petty traders, letter-writers or wastrels, it did increase the opportunities available to the young men. By 1920 seven former Bo boys were on the staff at Bo, another ran the Government Anglo-Vernacular School at Gbangbama, and the Medical Department had hired others as Public Vaccinators. In 1923 Bo graduates were also teaching at the Government School at Baiima, learning rice-planting at Gbapp, running an experimental farm at Makene, and pursuing successful commercial careers with European firms. Others had become second class forest rangers, assistant inspectors of produce, and one was a fifth grade sanitary inspector.<sup>20</sup>

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- 18. S. L. A. C.S. 352 1914 Circular 31 October 1914
  - 19. P. R. O. 267/578 25 July 1918 #235 Wilkinson-Long
  - 20. Jones op. cit. p. 115; P. R. O. 267/580 30 January 1919 #55  
 Wilkinson-Milner; P. R. O. 267/583 7 November 1919 #332  
 Wilkinson-Milner; P. R. O. 267/600 20 March 1923 #118  
 Slater-Devonshire

### Evaluation of the Bo School

The continuation and success of the Bo Government School for the sons and nominees of Chiefs depended largely on the chiefs viewing it with favour. This critical fact was not overlooked by the Government in their evaluation of every facet of the school, as seen in considerations already discussed.

District Commissioners, experiencing difficulty in recruiting students and collecting fees, attested to the fact that the Bo School was not popular with many of the chiefs. The number of students attending the school had risen from 83 in September 1906 to over a hundred two years later. However, by 1914 the students numbered 83 again, and consideration was given to decreasing the fees. In April of that year the District Commissioners were advised to discuss the school with the chiefs, pointing out the advantages, and finding out their complaints. The replies centered on the dissatisfaction of the chiefs with the way the students turned out and confirmed the belief of the Protectorate administrators that in most cases the chiefs would be willing and able to pay the fees if they wanted their sons to attend the school.<sup>21</sup>

These reports contributed to the decision to partially rescind the ban on employing Bo pupils in the Government service, and led to an alteration

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21. S. L. A. C223 1913 (filed 1916) circular 15 April 1914 to, and reports June and July 1914, from District Commissioners;  
S. L. A. C42 1916 29 February D. C. Stanley Ronietta

in the fee system. The fee for the first chief's son or Tribal Authority nominee remained £10, but the fee for each successive son or nominee was reduced to £5. Another of the chiefs' objections was removed by the new regulation that if a chief died and the Tribal Authority refused to pay his son's fees, the Government would remit the fee for the remainder of the time the boy was at Bo.<sup>22</sup>

By restricting admission to 7-10 year olds and establishing a one year probation system, Smith hoped to avoid some of the problems created by having pupils who were past the average school age. The 18-23 age group was found to be difficult to discipline, past the learning stage, and bad examples for the younger students. Pupils expelled for such offences as forging the Principal's name to obtain funds, stealing, and soliciting the wives of teachers<sup>23</sup> were not likely to give the chiefs a favourable impression of the school. Beyond these measures, however, nothing else was done to alter the recruitment methods in order to prevent unsuitable candidates from being sent to Bo School, and returning home as bad examples of graduates. Smith's suggestion that the District Commissioners assume most of the responsibility for the selection of candidates for admission was immediately rejected by Merewether. It was the Governor's contention that it would be unwise to so

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22. S. L. A. C.S. 158 1914 20 April C.S. Evelyn

23. S. L. A. Ed(ucation) #6 1912 5 January Proudfoot;  
S. L. A. Ed(ucation) #75 1912 9 June Proudfoot



alienate the chiefs on whose goodwill the success of the school largely depended.<sup>24</sup>

The changes which were made in 1914 had very little effect on the attitude of the chiefs toward the school for they did not reach the root of the problem. Changing times, and increased interest in education, not a realization of the chiefs' continued dissatisfaction, prompted Merewether to recommend that a commission be established to look into various aspects of Protectorate education, particularly the Bo School.<sup>25</sup> deHart, the Assistant Colonial Secretary, felt that a parting of the ways for Protectorate education had been reached. He saw the issue in terms of whether the Bo School was to continue to preserve its tribal character or to degenerate into an organization for 'creolizing' the natives of the Protectorate. In his words,

"The issue was comprehended in the original notice of 1905 and the decision then was the school was to be in the strict sense a native institution. The policy of the present principal is in direct opposition to the tribal objects with which the school was founded and the institution is little by little breaking with its traditions. The time has come when the objects of Protectorate education must be clearly defined; it is not necessary to uphold the Proudfoot regime. The question if the tribal nature of the school should continue to be the essential feature is correlated with the larger question as to the part it is intended the tribal system shall play in the future administration of the Protectorate. If it is to be desired to allow the tribal system to gradually languish, there is probably little object in trying to retain the attachment of the pupils for their respective tribes. But there is nothing to show that the Government wishes to see the extinction of the tribal system. On the contrary the

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24. P. R. O. 267/564 25 February 1915 #93 Merewether-Harcourt

25. S. L. A. C307 1915 (filed 1916) 6 November 1915 Gov. Merewether



very existence of Bo with its stated objects appears to indicate that its extinction is not desired by the Government. On the other hand the vitality of the tribal system is almost certain to become impaired as the economic development of the Protectorate increases and it will be necessary to support the tribal system even more strongly than in the past."<sup>26</sup>

In response to the request for their views on Protectorate education and the Bo School, the District Commissioners submitted detailed reports throughout the early months of 1916. Warren observed that the majority of the Bo students he had talked with knew nothing about their own chiefdoms, their indigenous political structure or laws. As Fairtlough believed that a knowledge of native laws and practices could only be obtained by listening to the counsel and advice of the elder men when assembled in the native court, he felt that the prime object of the Bo School scheme was unattainable under the existing conditions.<sup>27</sup>

A citizenship course introduced by Smith was designed 'to counteract in some measure the disintegrating influences at work in the Protectorate.' This was to be achieved by promoting good inter-tribal relations, explaining the methods by which the country was governed, and showing what public monies were raised and expended.<sup>28</sup> Such a course was not, however, a cure for the evils to which many of the chiefs and District Commissioners objected.

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26. S. L. A. C307 1915 (filed 1916) 27 September 1915 Assistant C. S. deHart

27. S. L. A. C42 1916 11 March D. C. Warren Karene; 20 April D. C. Fairtlough

28. P. R. O. 267/570 3 March 1916 #78 O. A. G. Hollis-Bonar-Law Smith enclosure

The chiefs and elders were cited as objecting to a different aspect of the same problem. They maintained that an English education had alienated their boys, for Bo pupils returned to their chiefdoms, often in European clothing and requiring a hammock while they travelled, ridiculed the ways of their people, and refused to do manual labour.<sup>29</sup>

Such grievances were not only valid but an inevitable result of the self-contradictory education policy of the Colonial Government. Certain Protectorate administrators came to appreciate the incompatibility of the dual objectives of educating and refining the allegedly future chiefs, but at the same time expecting them to return willingly to their chiefdoms. The consensus among District Commissioners was that the Bo School was not a success in terms of its stated aims. Several Government officers doubted whether it was advisable to educate the future chiefs along basically English lines. Such an attitude is understandable in view of the fact that most agreed that 'all the best chiefs who really command the respect of their people, who are just and popular and efficient rulers, are men without any European education whatever.'<sup>30</sup> Certainly the record of those chiefs accused and convicted of Human Leopard Society crimes includes a large number of the educated indigenous rulers. James Craven, who had seen duty in all of the Protectorate districts, categorically stated that none of the chiefs he knew who

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29. Ibid.; 6 February D.C. Bowden Railway

30. S.L.A. C42 1916 29 February D.C. Stanley Ronietta

spoke English would be among those he might recommend to represent the Protectorate on the Legislative Council.<sup>31</sup>

It was Warren's belief that education of the ordinary working class would be much more valuable. However, if the Bo School were to be maintained, he urged that courses in tribal law and histories of individual chiefdoms be included in the curriculum. Major Fairtlough and William Douglas Davis Bowden, then of the Railway District, believed that the best solution would be the establishment of schools in each district, with Bo perhaps transformed into a higher school or technical university.<sup>32</sup>

The years following World War I saw an awakening of interest in education, partly as additional funds were available, and partly as International concern in the problems of colonial education had been engendered by the League of Nations mandate system. Committees and commissioners were formed to investigate existing conditions, and to make recommendations for policy statements and guidelines.

The impact on Protectorate education of the findings of the Phelps-Stokes Commission and the Advisory Committee on Native Education in British Tropical African Dependencies was negligible for the period under consideration. However, they are worth noting for the conditions they were examining were the ones which had come into being and prevailed during the

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31. S. L. A. C116 1916 22 May D. C. Craven Koinadugu

32. S. L. A. C42 1916 11 March D. C. Warren Karene; 20 April D. C. Fairtlough N. Sherbro; 6 February D. C. Bowden Railway

years of this study.

The descriptions of the Government School for the Sons and Nominees of Chiefs at Bo given by the Phelps-Stokes Commission indicates that very little had been done to alter the policies concerning the school or its curriculum by 1922. The few changes which were prompted by the findings of the District Commissioners in 1916 and could be afforded in the ensuing years of depression occurred outside the precincts of the Bo School. Throughout each analysis during these years, that institution was to maintain its 'peculiar aims and character.'

#### Government Elementary Schools

The Government scheme to further education in the Protectorate by awarding grants to mission schools which met Government standards was not a success. A recurring suggestion of Proudfoot and Smith, who as Principals of the Bo School were responsible for the inspection of mission schools, had been the establishment of village schools. Although it was recognized that expenditure on Protectorate education would have to be increased, there was little agreement or planning about the manner in which increased funds might be expended.

The first concrete steps taken resulted in the establishment of the Government Experimental Day School at Bumpe which opened in 1915. It differed from the subsequent 'Anglo-vernacular' schools established in Baiima in 1917, and Gbangbama and Gambia in 1917. Intended as a feeder

school for Bo, the Bumpe school was to be restricted to 'select pupils chosen from the strata of society slightly but not much beneath Bo.'<sup>33</sup>

English, reading, spelling, arithmetic, writing, obedience to authority, elementary hygiene, object lessons, clay-modelling, and practical agriculture were taught by two teachers sixteen periods of three to four hours each a week at Bumpe.<sup>34</sup> However, the vernacular schools did not attempt more than the 3 R's and a little colloquial English, and as they were for children, no industrial instruction was given.<sup>35</sup> Each of the schools reported an average weekly attendance of between 25 and 35 pupils.

All four schools were under the jurisdiction of the Bo School. In addition they were staffed almost entirely by ex-Bo pupils from the time of the removal of the Government restriction on their employment, until 1923 when the four schools were handed over to Njala Training College. In 1923 six students from Njala College who had received previous training were considered competent to open small village schools. Schools were established in the Zimmi, Jimmi and Gbangbama chiefdoms of the Southern Province, and the Pendembu, Boajibu and Ngaema in the Central Province. At the end of their first year in operation the total enrollment of the six schools

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33. S. L. A. C.S. 297 1914 15 July Govr. Merewether;  
P.R.O. 267/570 3 March 1916 #83 O. A. G. Hollis-Bonar-Law
34. S. L. A. C.S. 297 1914 19 April Acting Bo Principal deLisle; 4 May
35. P.R.O. 267/571 12 July 1916 #271 Wilkinson-Bonar-Law;  
P.R.O. 267/571 5 September 1916 #368 Wilkinson-Bonar-Law

numbered 261.<sup>36</sup>

The reliability of school attendance statistics is affected by the fact that no indication is made of the turn-over rate of students nor the frequency of attendance of regular students. As a result it cannot be assumed that these ten schools were educating the approximately 380 students to the full extent of the curriculum. On the other hand, a far greater number were receiving some education although the numbers and the impact are impossible to determine.

### The Njala Agricultural Training College

The Agricultural (also referred to as the Vernacular) Training College established at Njala at the end of 1919 was designed to prepare pupils to run small village schools of the vernacular type, and recruited some of its first students from the top classes of the Bumpe and Baiima schools. The importance of and need for education for the improvement of agriculture had been cited for many years before the Agricultural Training College at Njala was conceived. Agriculture was the mainstay of the Sierra Leone Protectorate, and to foster new techniques and introduce new crops, the Government had instituted a variety of programs. These programs ranged from agricultural and district officers planting model farms and gardens and giving advice and instruction to farmers, to agriculture courses given at Bo and

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36. Sumner, D. L. Education in Sierra Leone (Freetown, 1963) pp. 154-5; P.R.O. 267/605 27 August 1924 #387 Slater-Thomas



scholarships provided for Bo graduates to the experimental farm at Njala.

Such measures, however, affected a limited number of people and in 1917 a training college for agricultural teachers was proposed. Wilkinson had to defend the proposal against the objections of Ellis, Principal Clerk in charge of the West African Section at the Colonial Office. The Governor's persistence probably added to his unpopularity at the Colonial Office for his education ventures were never met with whole-hearted enthusiasm.

The Governor saw the aim as being to obtain a body of teachers, admittedly inferior in literary knowledge, but superior in agricultural knowledge and able to read and write in their own vernacular. These in turn would help give the country a population also able to read and write in their own language, speak simple English and keep simple accounts, and practice agriculture with intelligence and interest.<sup>37</sup> When the school opened in 1919 three hours of literary instruction were given a day, the remainder of the time being devoted to agricultural study.<sup>38</sup>

The training college was not intended to produce agricultural experts, but graduates capable of teaching basic agricultural facts to village children of 10 years and under. Therefore it was considered most important that the pupils live in an agricultural atmosphere, and be exposed to and participate in plant, soil and method experiments. Njala, in the Ronietta District, was

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37. P.R.O. 267/585 28 August 1917 #261 Wilkinson-Long

38. P.R.O. 267/583 23 October 1919 #481 Wilkinson-Milner;  
P.R.O. 267/575 28 August 1917 #261 Wilkinson-Long

the location selected for the College as it was the site of the permanent plantation and experimental farm run by the Agriculture Department since 1913.

Lack of funds and European staff delayed the implementation of plans for the College, but by the end of 1918 Michell, a European Master at Bo, was seconded to build the college, and in June 1919 appointed Principal. An African Assistant Principal and several African teachers completed the staff.

D. L. Sumner states, in Education in Sierra Leone, that candidates for admission were nominated by the Tribal Authority and selected by the Principal. Students in training were admitted on the understanding that they were expected to establish schools in their chiefdoms upon completion of the course, which was paid for by the Government.<sup>39</sup> There is no indication in the available records of the extent to which this recruitment method was used.

The College opened with 30 pupils, some of whom were sons of chiefs, and students from the Bo, Bumpe and Baiima schools who could read and write English and Mende.<sup>40</sup> The statement in the first report on the College, that as soon as Temne textbooks were prepared Temne classes would be opened,<sup>41</sup> implies that the initial students were Mende. Sumner notes that

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39. Sumner, *op. cit.* p. 154

40. P. R. O. 267/583 5 December 1919 #535 Wilkinson-Milner

41. Ibid.

handbooks in three of the 'native' languages, written in English characters, were used at the College.<sup>42</sup> It is not specified when the other two languages were introduced nor what was the third language. Certainly the use of such materials was consistent with the overall policy against educating along European lines.

Wilkinson, always optimistic about the expansion of education in the Protectorate, hoped that a starting class of 30 every six months would yield 60 teachers a year after the completion of their three year course. This aspiration was not fulfilled in the years under consideration. However, the enrollment of 50 students when the Phelps-Stokes Commission visited Njala at the end of 1920 had more than doubled by the end of 1924. The Commission noted that due to the negligible education facilities in the Protectorate, the Training College was compelled to accept pupils with little or no previous education.<sup>43</sup> It became apparent that it was impossible to prepare boys with no education to become teachers in three years, despite the low standard aimed at. Of the initial students, six who had prior training opened the schools in 1923 already referred to. By 1925 only two additional teachers had been produced.<sup>44</sup>

The new Director of Education in 1923, F. C. Marriott, criticized the College as 'a replica of the Bo School without the advantage of European

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42. Sumner, op. cit. p. 154

43. Jones, op. cit. p. 115

44. Sumner, op. cit. pp. 154-5, 233

supervision.<sup>45</sup> Michell had been transferred, leaving Njala to the Senior Tutor, D. L. Sumner. The anticipated close coordination between the Agriculture and Education Departments had not occurred; indeed, the European Agriculture Instructor did not arrive until 1924. Ellis' doubts at the conception of the Training College plan were borne out. Attainment of an advanced level of general education and proficiency in English were necessary before students could learn, let alone instruct, the rudiments of agricultural science.<sup>46</sup>

In 1925 Slater ordered an investigation into the operation and results of the Njala Agricultural Training College. The far-reaching plans for the College consequently drawn up by the Governor and Marriott were never put into effect. When the Njala Training College was closed in 1928, its 80 pupils formed the nucleus of the new Central Protectorate College at Koyeima.<sup>47</sup>

The close of the period under review found Government-sponsored education in the Protectorate in a state of flux. Reassessment of aims and methods were being made to meet the changing conception of the needs and of the direction of future development of the Sierra Leone Protectorate.

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45. P.R.O. 267/600 31 March 1923 #145 Slater-Devonshire Marriott enclosure

46. P.R.O. 267/574 30 June 1917 #179 Wilkinson-Long Ellis C.O. minute on:; Sumner, *op. cit.* p. 172

47. Sumner, *op. cit.* pp. 218-9

## CHAPTER VII

## CONCLUDING STATEMENTS

The essence of the form of indirect rule established in the Sierra Leone Protectorate was to control and govern through the individuals and institutions which customarily commanded the authority and respect of the indigenous population. Putting such a principle into practice was not without consequences for the Administration and for some of the indigenous rulers thus recognized. In many places this policy was instituted without much apparent effect on the position of the chiefs who were accepted by their people as being the legitimate rulers, or on the relationships between such rulers and their subjects. However, investigation of pre-colonial history and power structures indicates that the conditions which existed throughout the Sierra Leone hinterland in the 1890's were by no means suited, from an indigenous point of view, to the uniformity of British administration.

One of the initial consequences of the establishment of British rule was the dislocation of political relationships within and between independent local, or chiefdom, units. Certainly it was the intention of the Colonial Government to regulate contact between 'tribal' groups which in the past had assumed the forms of raids and warfare. There is no indication that administrators anticipated the controversies over rightful succession to chieftaincies and disputed chiefdom boundaries which resulted not only from the 1898 Re-

bellion but also from the act of recognizing fixed ruling hierarchies and chieftdom borders.

For Government purposes, ruling through the chiefs was as efficient as such a marginally-supervised administration could be. Despite the annoyance of the above mentioned disputes, district administrations on the whole considered the system the most feasible and expedient means of administering justice to the populace and collecting the tax. The rulers designated to be chiefs additionally were called upon for such matters as to provide labour for Government public works, supply food and carriers for Government officials and troops, and cooperate with forestry, sanitation, agricultural and transportation schemes. Although many of the requirements placed on the chiefs and headmen were derived from customary rights and powers, such as the recruitment of labour, the uses to which, in this case, the recruited labour was put often were not customary.

Individual chiefs were singled out as being incompetent, lazy, corrupt, disloyal or uncooperative. On a number of occasions the Governor had to depose chiefs, either for alleged abrogations of customary laws or for failure to carry out Government duties properly. The question must be raised if the symptoms displayed in these cases were a result of the inadequacies of the person or of the policy of placing non-traditional demands on individuals who might lack any customary position or authority. Without a doubt there were cases of chiefs whose influence was minimal because the



power in the chieftdom rested with another person or persons, or with an institution such as the Poro. In such instances it must be wondered how effective a ruler could be for the purposes of the Protectorate Administration. The constant support which was being given a number of chiefs apparently did little to enhance the position of a chief maintained in this manner except to enable him to fulfill the minimum requirement of collecting the tax. Even this process, and any additional ones such as the recruitment of labour, were undoubtedly conducted with the convincing assistance of members of the Frontier Police, Force, or Court Messengers.

There were cases of rulers being reprimanded, imprisoned, and even deposed for continuing to exercise authority over peoples not considered by the Government to be under their jurisdictions. Such uses of former prerogatives no doubt held chiefs in good stead with their subjects but either cost them their positions or placed them in suspect and precarious ones in the eyes of the Government. The obverse is likely to have been true: that formerly powerful chiefs who cooperated with Protectorate administrators lost their previous authority and influence in the eyes of their subjects.

One question which colonial administrators did not allow themselves to raise during the period under review was if it were possible to preserve established institutions while using them for alien purposes and thereby transforming their character. Although the differential effects of trade, transportation, and general exposure to 'strangers' were observed, as on

the Chiefs' Courts, district administrators were limited in the means available to them to deal with these phenomena. The uniformity of administration and the principles underlying indirect rule left only small areas of initiative to alter the administration of some areas and not of others. In a like manner, Protectorate officers were handicapped by having to uphold the authority of Government-recognized chiefs whom they knew to be despised or even, in some cases, not the choice of the people.

The position of the chief was affected by other effects of British rule beyond those of questionable selection and alienating duties. He was provided with opportunities in modern forms of wealth, most of which were related to his position in the Protectorate administration. Although not all chiefs and headmen were stipend recipients, all were eligible for payment for each Court Messenger nominated, each labourer recruited for Government public works, and for each mile of road kept clear. Incentives to chiefs in the forms of annual presents and cash prizes were given in recognition of the need to maintain the position of the chief, as well as to use this position to influence the people to adopt improved agricultural techniques, or sanitary habits. Further grants were made for specific responsibilities such as the maintenance of Government rest-houses and ferries.

Although conversion of political position into economic advantage was by no means without precedent prior to the establishment of the Protectorate, it can be argued that the above sources of income did little to preserve,

strengthen or uphold the position of the chief as intended by the colonial administrators. Not only was the source of chiefly wealth no longer traditional in most cases, but also it was contingent upon his advancing schemes which were alien in nature, and which could serve to undermine the chiefly authority on which the British were relying.

Although the details of economic policy and its implementation are beyond the scope of this administrative study certain aspects bear mention. The roles played by the need for peaceful trade conditions in the establishment of the Protectorate and by the need for revenue to finance the Administration in the introduction of a tax have been discussed. In light of these facts, the Colonial Government considered the development of transportation in the Protectorate to be necessary in order to tap the resources. The construction of the railroad, team lines and feeder roads, and the supervision of the building and maintenance of bush roads and cart-tracks were consistent with the needs of the Administration but not with its objectives.

There is apparent in all areas of government activity a determination to forestall, wherever possible, 'Europeanizing,' or 'Creolizing' influences. The use of indigenous rulers and institutions, the provision of selective education for a limited few, and the subordinate role of non-European personnel each reflects the prevailing aversion to educated Africans. Consequently, the Protectorate inhabitants were to be protected from forces which would disrupt their customary ways of life.

Hindsight reveals the inconsistency of the Administration's expectation of such incompatible behaviour as working on roads and railways and acquiring tax money and the taste and means for European goods; and remaining rooted in the villages and being unquestionably affiliated to the chief and customary life. However, within the context of the governing philosophy, this discrepancy was not often seen in terms of cause and effect. As late as 1920 district administrators were upset by the fact that the Africans who were going into trade were leaving the villages.

There was no place in an orderly, regulated administration for the freedom of movement and migrations of individuals and large groups of peoples which had characterized the Sierra Leone hinterland prior to the advent of British rule. Coupled with the desire to prevent the deterioration of the Protectorate inhabitants, the need for control prompted colonial administrators to reinforce allegedly customary restrictions on unauthorized movement out of one's chiefdom. Government legislation in the forms of Vagrancy Laws and establishment of Tribal Administrations in Freetown were aimed at maintaining what the Colonial Government considered to be the status quo in the same way that economic measures reflected this objective.

The policy for land grants to 'non-natives' was sufficiently restrictive to prevent the development of plantations or other individual or corporate enterprises of any scale. The Government alone was in the position to de-

velop the resources of the country and this was clearly not the intention. A distinction must be made between efforts to preserve and improve existing conditions, and those to develop the potential of the Protectorate. Forest preserves, bush fire prevention lanes, and sanitary zones are indicative of the former. So too were the model farms which were designed to show improved agricultural techniques. It was not until the years following the First World War that significant efforts and expenditure were undertaken to change agricultural conditions in Sierra Leone. The role of agriculture in education, particularly at Njala, has been cited. Similarly the diversification and specialization of Department of Agriculture personnel in these years reflect the changing outlook of framers of International, British and Colonial policy which began to affect all areas of rule in the Protectorate.

The impact of many of the post-war proposals and changes, such as the commencement of swamp rice cultivation and re-evaluation of colonial education policy, was not readily apparent at the end of the period under review. However, the years of the third decade of the twentieth century belonged to a new era of Protectorate Administration. The processes of change within indigenous political, social and economic institutions had been set in motion by the diverse and basically inflexible requirements of the British Administration no less than by the very presence of administrators, other Government officials and traders. The effects of these forces, most noticeable in some Chiefs' Courts, were part of the inevitable transformation of

indigenous ways which, though deplored by colonial officials, were to spread throughout the Protectorate as the influences of British rule were increasingly widely felt.



TO

APPENDIX A

THE DISTRICT COMMISSIONERS OF THE COLONY AND  
PROTECTORATE ON THE SANITATION OF TOWNS  
IN THE COLONY AND PROTECTORATE.

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The following Instructions have been issued by His Excellency the Governor on the subject of sanitation of Towns in the Colony and Protectorate.

**1. Introductory.** The wealth of a district is dependent upon the health of the population, and such health is largely dependent upon the sanitation of the towns in the district. One of the most important duties therefore devolving upon the Political and Medical Officers in the Colony and Protectorate is to endeavour to bring about an advance in sanitation.

**2. General Principles.** It is not possible to lay down rules respecting sanitation which can be of universal application, because the situation of a town, or its water supply, or other local conditions, may be such that the rules could not be applied in their entirety. The following suggestions should be taken as illustrating the general principles of sanitation, the observance of which should be impressed upon the Chiefs whenever occasion offers:—

(a.) *Clearings.* Within the limits of the town the ground should be kept well drained, and there should be no holes dugged nor depressions allowed where stagnant water could collect. There should be no heaps of rubbish, and broken down houses should be levelled. Where necessary, drains should be made beside the roads to carry off the rain water, and the houses themselves should be kept clean and in good order.

Surrounding the town should be cleared a belt of land not less than 200 yards in width. This belt would naturally form a circular clearing around the town, and will consequently be traversed at certain points by open drains carrying off all surface water from the town. As the town extends, bush should be cleared so as to maintain perpetually the width of 200 yards. Cultivation on this belt should be only on its outer two-thirds.

It frequently happens that the Porro or Bundu Bush is less than 200 yards from the town. In such cases, no portion of this bush should be cleared. This is partly for political reasons (e.g. the quite legitimate objections of the people), partly because, as a result of the rules which regulate behaviour with respect to such bush, the proximity of the latter is not at all detrimental to sanitation. [cf. also Instruction 3.]

(b.) *Streets.* The streets in the town should be laid out on a regular plan, and not twist between the houses cork-screw fashion.

The main streets should be from 20 to 30 feet wide, measuring from the eaves of the houses on either side; other streets should be at least 10 feet wide. Along the streets the people should be encouraged to plant shade or fruit trees; the streets and spaces between the houses should be kept clean of all undergrowth.

During recent years a tendency has been noticed (especially in the case those towns traversed by, or adjoining improved roads) to abandon all the old types of town formation, and to build houses on each side of the main road; this tendency leads to the town becoming much more extended in area than formerly, and should not be discouraged, provided that sufficient ground is kept cleared at the back of the houses.

- (c.) *Refuse.* All vegetable and house refuse, etc., should be collected daily, deposited on selected areas outside the town, and burnt at the end of the week on the cultivated land.

Cow-dung should of course not be allowed to remain in the streets, but as it is used for various purposes no rule is needed with respect to its disposal.

- (d.) *Latrines, Cesspits &c.* At different places on the cultivated portion of the clearing, shallow trenches should be dug for latrine purposes. These should be about 12 to 18 inches wide, and 9 inches deep, the earth removed to form the trench to lie alongside. Excreta should be deposited by persons squatting with one foot on each side of the trench, their backs being towards the already used part of the trench. The trenching ground should not be near a stream or marsh, and it should be guarded from flooding by a shelter and drain. The trenches should be across the line of fall in the ground.

The custom of using a stream or river as a latrine should be strongly and continually discouraged.

Cesspits are not necessarily objectionable, but when used they should not be near wells or streams, or too near dwellings.

Rain water should not be allowed to flood them. They should not be used when nearly full, but should be either covered with earth, and a new one made, or emptied and the contents buried in the cultivated area outside the town away from water.

- (e) *Water.* The place from which drinking water is got should be above the village, and reached by a special path. As the drinking water is always carried by women and children, this place is often conjoined with the washing place for women, the women washing at a point below that from which they take the water, but using the same path to reach it.

Washing places for clothes should be below this and reached by another path, and the path for men should be still further down. From this spot up to a point a short distance above that whence the drinking water is obtained, the river should be kept cleared of grass, old logs, and other obstructions to a free flow of water, and for the same distance each bank to the breadth of a yard or two should be kept clear, not of timber trees, but of all grass, weeds, and low bush.

When, as sometimes happens, a town has to depend on well water, the well should be fenced around, and no bathing or washing of clothes allowed in the immediate neighbourhood.

The area for 5 or 6 feet around well tops should be raised about one foot platform fashion, either with baked clay or broken stones, so as to prevent puddling in waste water by feet.

To prevent the entrance of surface drainage, a shelter should

(7) *Cattle*. As the Tsetse Fly, which bites both man and cattle and causes disease in, both, haunts a great number, if not all streams and river banks in the Protectorate, and as it has been shown that their habitat is close to streams (viz within about 50 yards), the banks of streams at washing places, ferries, places where cattle are watered, &c, should be kept free from bush for about 50 yards. This fly requires not only running water and high dry banks, but also the shade of low bush.

An open space should be reserved for cattle when driven in the town at night. They should not be allowed to roam about the town at night. They should not be allowed to occupy ruined houses closely surrounded by occupied houses. If all rubbish is collected daily the cattle will soon learn that they will find no food in the streets, and they will not wander about to look for it.

Many cattle die or lose flesh through disease carried by the Tsetse Fly. Some of these diseases might be prevented by making clearings away from water for the herding of cattle, who could be watered if necessary in early morning or late evening, as the Tsetse fly bites chiefly when the sun is high.

**3. Native law in favour of good sanitation.** It will be found that where a town is governed by a good Chief, the chief principles of sanitation are observed. Moreover close questioning of the older men will show that these principles are strictly enjoined by native law. It is important, therefore, to remember that an unhealthy town is one wherein native laws and customs are departed from: the chief should be supported to the utmost by the Political and Medical Officers in enforcing the native laws with respect to sanitation.

The fact may be mentioned here which will be of interest to newly appointed Assistant District Commissioners, although it is of course well known to District Commissioners and others acquainted with the country; many customs and many apparent superstitions are connected with the preservation of health: for example, there may be, not far from a road leading to a town, a piece of land which is regarded by all as being the habitat of a "devil," and is consequently never entered. Enquiry will often show that this piece of land is the catchment area of the town's water supply! [*cf.* Instruction 1 (a).]

#### **4. Methods of improving sanitation.**

(a.) *Backward Districts.* If any part of the district is specially backward in sanitation, it will be found that the most business-like and quickest method of bringing about an improvement is to select one or two representative towns (the town of the Paramount Chief should be invariably included), and to give special attention to the sanitation of the towns thus chosen. When such towns have been selected after discussion by the District Commissioner and the District Medical Officer, the former should visit each town where he should point out to the Chief and the latter's Headmen in detail the exact changes which should be carried out in order to improve the sanitation of the town. If possible, the Medical Officer should accompany the District Commissioner and should explain the reasons why the laws of sanitation should be observed; if possible he should show the chief's headmen and especially some of the women, specimens of bad water etc., through a microscope.

(b.) *Visits.* After the first visit each such town should be periodically visited by the District Commissioner or the District Medical Officer at times which should be arranged



The selected towns having been thus improved, it will be comparatively easy to bring about a similar improvement in other towns.

Political and Medical Officers passing through a cleanly town should make a point of praising the Chief for the condition in which his town is kept.

## 5. Prizes.

- (a.) *Swords.* Prizes for sanitation, not exceeding two in number for any one district, will be given yearly.

They will take the form of ornamental swords, and will be allotted in November of each year by the District Commissioner with the advice, when possible, of the Medical Officer. The sword will be a personal decoration, and will, save in the exceptional case hereafter mentioned, be returned to the Government on the death of the holder without any compensation to the holder's family. It will also be given up should the holder allow his town to fall back into an insanitary condition, for it must be clearly understood that the prize is given not only for improving the sanitation of a town, but also for keeping that town in a good sanitary condition.

The swords will not in future be engraved with the winners' names: the names on those already engraved will be deleted when necessary.

The sword will be accompanied by an illuminated vellum certificate, which will remain the absolute property of the Chief and his family. No Chief will be eligible for more than one sword, but for every fresh success he will be awarded an additional vellum certificate. On any Chief obtaining five such certificates, his sword will become the absolute property of himself and his family.

- (b.) *Money Prizes.* A money prize may be awarded to a Chief who, having won a sword for his own town, has shown exceptional energy afterwards in bringing about the improvement of other towns under him.
- (c.) The fact that these prizes are given, and the reasons for which they are given, should be made known as widely as possible by District Officers.

**6. Small Pox.** The attention of Chiefs and Headmen is particularly drawn to the following rules to assist them in suppressing small pox when it occurs in their midst:—

- (a.) *Cases not to be Concealed.* Chiefs should discourage the concealment of persons suffering from small pox in their towns or villages, and should in no case drive them out of the town to spread the disease in other places, but should see that every case is sent to and kept at the houses or huts which have been specially prepared outside the town.
- (b.) *Isolation.* On the occurrence of a case of small pox immediate steps should be taken for its isolation, and for this purpose a temporary building should be erected without delay.

It should be built at least half a mile from the town and well off the main road, and in such a position that the prevailing

In the event of small pox breaking out in a town or village, the isolation hut should be constructed by the Chief without payment, as it is for the protection of his own people.

At the end of the epidemic, the hut will be burnt.

The Chief or Headman of each town or village will make the necessary arrangements with the respective friends or relatives for the maintenance of such persons as have been isolated.

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(c.) *Strangers.* In the case of strangers in any town or village falling sick of small pox, the chief or Headman should maintain the sick strangers as if they were his own people and notify the Paramount Chief of his expenses in connection therewith, who will forward the claim to the District Commissioner for his consideration.

(d.) *Officers to be Informed of Outbreaks.* Chiefs, and Paramount Chiefs in particular, should inform their respective District Commissioners, or any Government Officer, when small pox breaks out in their country so that the assistance of the District Medical Officer may be given them, and every effort should be made by the people to carry out the instructions of the Medical Officer in order to get rid of the disease as quickly as possible.

(e.) *Vaccination.* Even when small pox does not prevail in the country, Chiefs should encourage all their people to be vaccinated, because persons who have been vaccinated every seven years are not liable to contract small pox, and even if they do, the attack is never severe.

District Medical Officers will instruct such persons as they may consider capable of learning how vaccination is performed and carried on, so that every one may be vaccinated and made safe from the disease.

Paramount Chiefs visiting the towns of their chieftdom should personally urge the necessity of carrying out all sanitary rules, especially those dealing with small pox, as all such rules are for the benefit of the people whom the Government desire to assist.

District Commissioners and District Medical Officers should on every available occasion point out the necessity for every person being vaccinated, especially children and young adults, and should endeavour to obtain the consent of Chiefs, Headmen and Bundu women to vaccination forming part of the Porro and Bundu ceremonies.

7. These instructions supersede all previous circulars on the subject.

E. EVELYN,  
Acting Colonial Secretary.

Colonial Secretary's Office,  
Freetown, Sierra Leone,  
26th April, 1909.

M.P. 3175  
1909



# STANDING INSTRUCTION.

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## SECRETARIAT No. 4 OF 1910.

APPENDIX B

FROM

THE HONOURABLE COLONIAL SECRETARY

TO

DISTRICT COMMISSIONERS.

### HOUSE TAX COLLECTION.

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The following Instructions for the collection of House Tax in the Protectorate issued by direction of His Excellency the Governor in substitution of Standing Instruction No. 2 of 1908, are published for the information and guidance of District Commissioners of the Colony and Protectorate.

#### INSTRUCTIONS FOR THE COLLECTION OF HOUSE TAX IN THE PROTECTORATE ISSUED BY DIRECTION OF HIS EXCELLENCY THE GOVERNOR.

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1. The general principle with respect to the House Tax is that the assessment is made by the Paramount Chief, and that all payments are made to the District Commissioner in the presence of the Paramount Chief.

2. **ASSESSMENT.** If the political staff were sufficiently numerous it would be the best course for the assessment of all the Chiefdoms in a District to be made by the District Commissioner or by Officers acting under him. This is not practicable at present and consequently the assessment has to be left to the Paramount Chiefs. It is not intended that the Paramount Chiefs should report the result of their assessment in writing to the District Commissioner. This would be a hardship for a great many Chiefs. When payments of House Tax are made it will be sufficient if the Paramount Chief informs the District Commissioner that the amounts paid are correct and agree with the assessment made by him or by persons acting under his orders and for whom he is responsible. When a Chiefdom is divided into sub-Chiefdoms the Paramount Chief may, if he informs the District Commissioner, delegate his responsibility for the correct assessment of the Sub-Chiefdoms to the sub-Chiefs in charge.

In practice it will be found that the previous year's assessment will be taken as the starting point from which the amount to be paid for the current year is calculated; the Paramount Chief (or Sub-Chief as the case may be) will be required to verify the statements made by the headmen respecting the tax for which they are liable; he will also be responsible for the presence of representatives of all the towns and



villages in the Chiefdom and may be regarded as making a false assessment if he fail to notify the absence of any of his headmen at the place and time of house tax collection fixed by the District Commissioner.

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The Paramount Chief aided by the headmen of the different towns should also inform the District Commissioner if in any town there are non-natives who are liable to pay tax directly to the District Commissioner.

Apart from the assessments made by the Chiefs, District Commissioners should arrange to check in detail one or more Chiefdoms every year.

This system will not enable the District Commissioner to detect every error in the assessment, but it will deter Paramount Chiefs from submitting false assessments.

If the assessment for a year were less than the assessment for the preceding year in any Chiefdom, the decrease would be an indication that some explanation was necessary. If it were well known that from any cause there had been a considerable increase in the prosperity of a Chiefdom and there were no increase in house tax some explanation would also be necessary. The above would justify a District Commissioner in refusing to accept a Chief's assessment as accurate, and in proceeding to verify it. If the assessment submitted by the Chief were found to be incorrect then he would be liable to be dealt with under Regulations No. 10 of 1909 of 5th May 1909.

3. PAYMENT OF HOUSE TAX. All payments of house tax will be made to the District Commissioner in the presence of the Paramount Chief.

It should be made widely known that every Sub-Chief or headman is entitled to pay his tax in person provided the payment is made in the presence of the Paramount Chief; but no payment should be accepted from a Sub-Chief or headman in the absence of the Paramount Chief unless with the knowledge and concurrence of such Chief. In the majority of cases Sub-Chiefs and headmen will prefer to pay their tax in person to the District Commissioner and should be encouraged to do so. Thus the only tax money handled by the Paramount Chief will be that for the towns and villages of which he himself is headman. Paramount Chiefs will as a rule be found to welcome this system; it gives them less trouble than when they have to collect from individual headmen, and it safeguards them when headmen bring in less tax than the amounts for which they are responsible. Where, however, a District Commissioner thinks that the adoption of this system would be premature he may collect the whole tax for a Chiefdom through the Paramount Chief but he should submit a report giving the reasons in each case.

District Commissioners should however make it clear to all that it is not the intention of the Government to in any way diminish the power of the Paramount Chiefs over their people in matters of native administration, but that the above scheme is intended to assist the Chiefs in what is a Government matter.

4. The House Tax will usually be collected in the Paramount Chief's town in each Chiefdom or in some other town in the Chiefdom fixed by him. In some cases where Chiefdoms are large it may be desirable for the tax to be collected in two or more centres in the Chiefdom; these will be fixed by the District Commissioner in consultation with the Paramount Chief. In other cases where adjoining Chiefdoms are very small it may be advisable to fix one centre or two or more Chiefdoms, but these will be exceptional cases.

5. By law house tax becomes due on January 1st. Before this date

in which the collection is to be made. Before the beginning of a month he should notify the Paramount Chiefs of the Chiefdoms he intends visiting that month. He should endeavour to have the house tax collection completed before the end of the fourth month unless there are special reasons for the delay.

6. When the Paramount Chief has assembled his people the District Commissioner will proceed to collect the tax from each individual payor and to check the amounts paid by reference to the assessment list for the preceding year, or to the assessment list for the current year in cases where the Chief submits one in writing. The Paramount Chief should present the headmen as this makes him personally responsible for the presence of all the headmen including those of any new towns or villages which have been built since the collection of the preceding year. A headman paying in less tax than in the previous year should be asked to explain, and in most cases if he is able to give the names of those who have died or have removed to other towns, and if his statements are corroborated by the Paramount Chief his explanation will be accepted. In some cases it may be necessary for the District Commissioner to make a note with a view to future checking. Headmen should always be asked if there are any new houses in their towns as some make a practice of keeping the money for the new houses apart and alleging as an excuse for non-payment for these houses that they were not asked for the tax for them.

A District Commissioner should also make notes of any impending changes in towns of which he is informed by the Paramount Chief or headmen, with a view to correcting the assessment lists for the coming year.

7. Non-natives will in all cases pay tax directly to the District Commissioner, but, unless in exceptional cases, natives of other tribes (*e. g.* Timene or Susu traders living in Mendi towns) should pay through the headmen of the towns in which they live.

• Paramount Chiefs and headmen of towns should be asked for the names of any non-natives living in their towns and of any natives of other tribes who have not paid to them in order that complete collections may be made.

8. When the tax for any town or village has been paid, a receipt will be made out from the counterfoil book provided for the purpose. This receipt shows the name of the payor, the town, chiefdom, number of houses and amount paid and these particulars are also entered on the counterfoil which should be signed by the payor or in cases where he cannot write, by some person who witnessed the payment, preferably a Government Official. The former system of giving one receipt to the Paramount Chief for the total amount of tax paid at one time by the Headmen in his Chiefdom may still be continued where the District Commissioner considers there are special reasons for its continuance; but when the system of giving receipts to individual payors has been adopted it should not be altered without the permission of the Governor. When one receipt is given for the total amount paid it is difficult to get satisfactory evidence of individual payments in the event of disputes arising.

The receipts are numbered consecutively, and as the whole or greater part of the tax for a Chiefdom will be collected by the District Commissioner during his stay in that Chiefdom, it follows the whole or greater number of the Receipts for that Chiefdom's tax will be in consecutive order. Where it happens however that after leaving a Chiefdom a District Commissioner receives a further payment on account of the tax for that Chiefdom, he should make a cross reference on the counterfoil to the number of the counterfoil of the last receipt

given when he was in the Chieftdom, and on the last mentioned counterfoil he should also make a cross reference to the number of the counterfoil or counterfoils relating to the subsequent payment.

9. In addition to the receipt or receipts given, a District Commissioner will also give House Tax Cards. Each person making a payment on account of House Tax will receive a number of House Tax Cards equal to the number of houses in respect of which payment has been made by that individual. These cards are to be given by the headman making the payment to the house owners in his town. Collection of tax from individual house owners is obviously impossible and it is equally impracticable for each house owner to attend at the time of payment to make sure that the full payment is made; but the above system enables every house owner to receive a Government token showing that the money he paid has reached the hands of the Government.

On the 1st May in each year each District Commissioner should submit a Requisition to the Colonial Secretary for such number of house tax cards as he considers will be required in his District during the ensuing year. It is essential that Requisitions should be made on May 1st in order that the Colonial Secretary may have ample time to get these cards from the Crown Agents. Before the period when the House Tax becomes due in each year the Colonial Secretary will send each District Commissioner the number of cards requisitioned for.

The house tax cards will be on coloured cardboard and will be stamped with the year in respect of which the house tax is paid; they will also differ from those in use during the previous year in the colour of the card or by some simple printing device. The distinctive colour or design of the cards will be kept confidential until the cards are actually forwarded to the District Commissioners.

The District Commissioners should keep the house tax cards in safe custody till they are actually handed to the individuals making payment on account of house tax.

District Commissioners should make a point of explaining to natives the reason why the cards are issued; that they enable every man who pays tax to have a token that his money has actually been received by the Government, and that they enable every headman to be certain that non-natives in the town have paid. Natives should be advised to keep the cards with care as in the event of disputes the possession of the card may be of service.

A house owner removing after payment of the tax would naturally take his card with him as evidence that he had paid; the house tax receipt for the town would remain in the town to be checked by any officer making an assessment after house tax collection.

For audit purposes the receipts and counterfoils will be regarded as completing the tax, but District Commissioners should see that no unauthorised person has access to the House Tax Cards.

After house tax collection is completed they should check the cards remaining with the number originally received and the number issued; and at the end of the year they should destroy any unexpended cards they have and should then send a certificate to this effect to the Colonial Secretary.

10. In certain cases hardship might result from the collection of the tax; e.g. destruction of a village by fire after the tax became due but before the period of collection, the presence of people incapacitated by age or infirmity from earning the amount of the tax. The District Commissioner may, after full enquiry and pending the approval of the Governor, not collect the tax due in such cases; but he shall submit for



approval by the Governor a report on each Chieftdom where he has exercised this power.

#### 11. REBATE.

Payment of rebate is regulated by section 52 of Ordinance No. 33 of 1901 (The Protectorate Ordinance) as amended by Ordinance No. 13 of 1905.

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The whole of the commission of 5% will be paid to the Paramount Chief. Any subdivision between the Paramount Chief and the headmen must be left to the Tribal Authority.

The commission may be paid immediately after the collection of house tax is completed for any one Chieftdom, or may be withheld to a later date in the year at the discretion of the District Commissioner.

When a District Commissioner is not satisfied with the manner in which the house tax has been paid by a Chieftdom he may withhold the whole or any portion of the rebate; he shall enter in the house tax assessment book the reasons for withholding the rebate or any part of it and at the end of the collection for his District for the year he shall submit for the information of the Governor a list of the cases where the rebate has been withheld with the reasons in each case. He shall also submit a list of all cases where a rebate of  $2\frac{1}{2}\%$  has been paid to Sub-Chiefs.

#### 12. PAYMENT OF TAX BY NON-NATIVES.

All non-natives are by law liable to pay their tax due directly to the District Commissioner.

Each District Commissioner shall keep a list of all non-natives in his District showing the number of houses owned or occupied by each, the town and Chieftdom in which each lives. An official inspecting a town will thus be able to determine if the assessment has been made correctly. House tax in respect of houses owned or occupied by non-natives may be paid either at District Headquarters or at any place of collection of the tax.

House tax cards as well as receipts should be issued to non-natives as this will enable headmen of towns to know if non-natives have paid their tax.

#### 13. PENALTIES.

Any Chief or headman who fails to pay the amount of tax due in respect of his town or village in the manner above described at the proper place of collection shall be treated as a defaulter unless he can give a satisfactory reason for his default. In such cases the District Commissioner shall inform the headman that he must pay the amount due within a specified time; otherwise he will be proceeded against under Sections 56, (57) and 96 of "The Protectorate Ordinance 1901" (No. 33 of 1901.)

14. MISCELLANEOUS. District Commissioners when visiting a Chieftdom for the purpose of house tax collection should arrange to collect moneys due for store and other licenses and to issue such licenses.

It will therefore be necessary for the District Commissioners to take with them the necessary licence books.

It will also be found advisable for District Commissioners to hear and decide many local disputes at the places of collection of house tax and to discuss with the Chiefs and headmen matters of interest and importance to the Chieftdom.

It may also be advisable to hear and determine Court cases at some of the places of collection and District Commissioners should take with

15. From the date of these Instructions, Circulars Nos. 44/4262/1904 and 51/5007/1904 of 28th October 1904 and 12th December 1904 respectively, Standing Instruction No. 2 of 1908 of 25th April 1908 and Circular No. 76/3830/1908 of 14th October 1908 are hereby cancelled.

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G. B. HADDON SMITH,  
Colonial Secretary.

Colonial Secretary's Office,  
Freetown, Sierra Leone,  
30th April, 1910.

M.P. 1884.

The District Commissioner

Headquarters District	6
Sherbro	8
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Roniotta	6
Koinadugu	6

# STANDING INSTRUCTION.

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SECRETARIAT No. 9 OF 1910.

APPENDIX C

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FROM  
THE HONOURABLE COLONIAL SECRETARY  
TO  
DISTRICT COMMISSIONERS.

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Authority of District Commissioners over Chiefs.

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The general principle underlying the government of the Protectorate is that the administration of the Protectorate chiefdoms is left in the hands of the paramount chiefs: native law and custom regulate the authority and powers of the paramount chiefs, and distinguish between the powers which such chiefs can exercise *suo motu* and those larger powers which can only be exercised by a chief after he has consulted the principal men of the chiefdom. Although the administration of the Protectorate is thus left in the hands of the chiefs, it must be remembered that the Governor, as representative of His Majesty, occupies a position which may be described as being that of the Paramount Chief over all paramount chiefs. The Government also have imposed by Ordinance certain laws upon the inhabitants of the Protectorate, *e.g.*, the House Tax Law, that part of the Criminal Law which deprives the chiefs of the power to hear and determine serious charges, etc. District Commissioners, as representatives of the Government, are, consequently, entrusted with the duty of making the natives comply with the Government's orders, and their jurisdiction or authority in such cases is based either upon Ordinances such as "The Protectorate Courts Jurisdiction Ordinance 1903," "The Protectorate Ordinance 1901," "The Protectorate Native Law Ordinance 1905," etc., or upon the general power which the Government derives from the fact that it occupies a position analogous to that of Paramount Chief over all the paramount chiefs in the Protectorate.

2. The successful manner in which District Commissioners have controlled the administration of the Protectorate is very largely due to the tact and skill which they have shown in inducing chiefs to carry out the policy of the Government, by giving the chiefs advice with respect to such policy instead of "*ordering*" the chiefs, in a peremptory manner, to comply forthwith with the orders of the Government. It is obvious, however, that there are cases in which a District Commissioner is bound to give definite and precise orders to natives in the Protectorate, and the object of this Standing Instruction is to explain to newly appointed District Commissioners what action should be taken in the event of such orders being disobeyed.



3. If an order is given to a native of unimportant position in the country, and he refuses to carry it out, the correct method for the enforcement of the order is to tell the headman, subchief or paramount chief who has immediate control over the recalcitrant native to compel the latter to carry out the order. "The Protectorate Native Law Ordinance" (No. 16 of 1905) provides, by section 49, that a Paramount chief may send such recalcitrant persons to the Government Prison at the District Headquarters.

4. If the order is given to a headman or subchief, and is disobeyed, the correct method is to request the paramount chief to compel the recalcitrant headman or subchief to comply with such order. Such headman or subchief may also be sent to the Government Prison under Ordinance No. 16 of 1905, section 49.

5. If the Order is given to a paramount chief, and the latter fails to comply with the order, considerable judgment must be shown by the District Commissioner, because refusal by a paramount chief to comply with a Government order, although a very serious matter, may be caused by stupidity of the chief, by some mistake made by the Interpreter when the order was given, or the disobedience may be an act of defiance on the part of the chief; and, finally, it may even be the first overt act of a wide-spread rebellion. The experienced District Commissioner learns by enquiry or from observation to which of the four causes mentioned the disobedience should be attributed and he acts accordingly :—

(a.) *Disobedience by paramount chief owing to stupidity.*

The method usually followed in such cases is to get a friendly paramount chief to "talk sense" to the chief in default.

(b.) *Disobedience through mistake of Interpreter.*

Failure to comply with an order under such circumstances is not disobedience.

(c.) *Disobedience by a paramount chief as an act of defiance.*

In such cases an experienced District Commissioner usually reproves the chief and explains to him, *for a second time*, the reasons why the order was given: finally he informs the chief that he must comply with the order by a given date. *Before* the date fixed arrives the District Commissioner usually arranges that one or two neighbouring paramount chiefs shall visit and prove to the defiant paramount chief the folly of defying the Government. If no paramount chief can be found to thus advise the recalcitrant chief, the fact that such chief cannot be found indicates that force may be required to ensure compliance with the order.

(d.) *Disobedience by a paramount chief, which is the first overt act in a rebellion.*

*It is very necessary to remember that disobedience of this kind cannot, when it arises, be distinguished from cases of the kind referred to at the end of paragraph (c) supra.*

6. The enforcement of legitimate authority over chiefs can be carried out in one of three ways. By "The Protectorate Amendment Ordinance 1909" (No. 6 of 1909)—[The corresponding Law for the Sherbro District is the "Sherbro Native Courts Amendment Ordinance" (No. 3 of 1909)], power is given to the Government to depose a chief, and, *as an alternative to the full penalty of deposition*, power is given to the District Commissioners, subject to the approval of the Governor, to fine a chief a sum not exceeding £10. Thirdly in the last resort, legitimate authority may have to be enforced by an armed force.

7. The force of Court Messengers is not intended to be an armed force. The utmost that Court Messengers are expected to do in this direction is to suppress brawling, or to assist (when so ordered by the District Commissioner) the paramount chiefs or subchiefs to carry out orders made by such chiefs. If a paramount chief refuses to comply with an order in spite of having been urged by brother paramount chiefs to comply with the order, there is no great risk in employing Court Messengers to enforce the order, because the fact that the neighbouring paramount chiefs consider that the order given is a just one, and have advised compliance, indicates that the difficulty is confined to the individual paramount chief who is in default: even in such cases, however, if the paramount chief appears to be supported by a considerable section of the people in his chiefdom, it is better not to attempt to enforce the order by means of the Court Messengers.

8. In the case last mentioned, *and* in the case of a paramount chief refusing to obey an order under circumstances which show that there are other paramount chiefs who are supporting him in his refusal, Court Messengers are not to be used. In such cases, the District Commissioner should apply for an armed force to maintain his authority.

9. A newly appointed District Commissioner will learn from this Standing Instruction that, by advising chiefs and explaining matters of Government policy to them thoroughly and quietly, the necessity for giving peremptory orders rarely arises. He will also learn that the power to fine up to £10 is one which *should be rarely exercised*: it should only be exercised in the case of continued and persistent refusal to comply with a definite order: under no circumstances should a threat to fine be made *when an order is given for the first time*.

The newly appointed District Commissioner will also gather that power of deposition is one which is never adopted save with great reluctance. Finally, it has been made clear that the force of Court Messengers is not intended to be relied upon as an armed force, and, in order that the importance of this principle may be fully realized, it should be remembered that the principle in question was adopted, after full consideration by the Secretary of State (Secretary of State's Confidential despatch of the 11th October 1906).

A. FARRAR,  
Acting Colonial Secretary.

Colonial Secretary's Office,  
Freetown, Sierra Leone,  
22nd August, 1910.

M.P. 1111.



# STANDING INSTRUCTION.

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APPENDIX D

SECRETARIAT No. 10 OF 1910.

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FROM  
THE HONOURABLE COLONIAL SECRETARY  
TO  
DISTRICT COMMISSIONERS.

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## Deposition of Chiefs.

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By the Protectorate Amendment Ordinance 1909 (No. 6 of 1909) and the Sherbro Native Courts Amendment Ordinance 1909 (No. 3 of 1909) the Governor, subject to the approval of the Secretary of State for the Colonies, may depose any chief in the Protectorate or in Sherbro (Colony.)

2. While the power to depose is vested in the Governor and not in the District Commissioners, a Standing Instruction to District Commissioners is necessary for the following reasons: The Governor may depose a chief directly (*i.e.* for acts which have come immediately under his notice), but a District Commissioner is the representative of the Governor in his District and the usual intermediary between the Governor and the chiefs, and it is obvious that in the majority of cases, any action affecting the chiefs will be taken through the District Commissioners. It is advisable therefore to lay down certain principles for the guidance of District Commissioners in dealing with acts of chiefs which in their opinion render it undesirable that the chief should take any further part in the management of the affairs of his chiefdom. The deposition of a chief is relatively infrequent, and District Commissioners, especially those newly appointed, might experience considerable difficulties in the management of such cases if no principles were laid down for their guidance. It is not intended, however, to prescribe *by law* the procedure in connection with the deposition of a chief, nor is it intended to impose *by law* any further conditions and restrictions than at present exist.

3. The Protectorate of Sierra Leone (including in that also the Sherbro portion of the Colony) is inhabited by a number of tribes differing in language, and, to a certain extent, in customs. In some directions this difference in customs is very material. For instance, the position of a paramount chief amongst the Temnes, who have probably been settled in this country for some 400 or 500 years, is different from his position amongst the Mendis who are much more recent invaders. In the first case, custom has established a certain



sanctity around the office and person of the chief; in the second, in many cases, the chief is still little more than a leader in situations where concerted action is required. Other tribes occupy positions intermediate between these two. Such differences will materially affect the action to be taken in different parts of the Protectorate, and local conditions will require to be fully considered before recommendations are made. But, in spite of these differences, it is possible to find some principles generally applicable.

4. Like other inhabitants, chiefs are subject to the statutory law of the country and are liable to be punished for offences against that law; it is not intended that a chief should be punished twice for the same offence and, consequently, deposition will not, as a rule, follow the conviction of a chief in the District Commissioner's Court or the Circuit Court. Exceptional cases may, of course, occur: a chief who had been sentenced in the Circuit Court to penal servitude for life would obviously require to be deposed to enable the government of his chiefdom to be carried on.

5. In the majority of cases requiring deposition the necessary preliminaries will be an enquiry held by the District Commissioner into the conduct of the Chief and a report to the Governor by the District Commissioner based on that enquiry.

## II. CIRCUMSTANCES UNDER WHICH AN ENQUIRY WITH A VIEW TO THE DEPOSITION OF A CHIEF SHOULD BE HELD.

6. These circumstances may be of two kinds:

- (a.) Deliberate disobedience of important instructions given by the Government to the chief, or acts of open defiance indicating actual or intended rebellion.
- (b.) Persistent and flagrant misgovernment of his chiefdom and oppression of his subjects.

7. Deposition may be required for acts of flagrant disobedience after the procedure recommended in Standing Instruction No. 9 of 1910, has been tried and has been found to be ineffective; these acts in principle are very closely allied to acts of rebellion.

8. The steps to be taken after open rebellion obviously require no consideration here.

In cases of threatened rebellion the important point is to ascertain how far the responsibility rests on the chief, or how far he is merely the expression of a state of discontent among his subjects; should he be the prime mover in the threatened rebellion and the principal person responsible for causing and fermenting the feeling of discontent, he should, in addition to any further punishment, be deposed as unworthy of confidence in the part of the Government. In circumstances where, however, he is being forced into rebellion, but is not the most active agent in planning it, a lesser punishment than deposition might meet the case.

9. In the majority of cases when deposition is required, it is for misgovernment and oppression. The individual circumstances must be considered in each case. It may be desirable in some cases to try the other means indicated in the above mentioned Standing Instruction, to remonstrate with the chief, to get other chiefs to advise him, or to fine him, before proceeding to the extreme step of considering his deposition on account of the continuance of the misgovernment; in other cases, it may be desirable to institute deposition proceedings forthwith. Where

a chief is by birth and by position representative, where the feeling in a chiefdom, while objecting to his acts, yet recognises him to be the proper person to remain chief, then every other possible course should be tried before deposition was resorted to. Where on the other hand a chief had been appointed more through intrigue than by a well recognised hereditary right, there would be less hesitation in considering his deposition. Another important factor for consideration is when a chief has not only oppressed his people but has represented that this was done with the approval of, and for the benefit of, the Government.

10. The deposition of a chief is a very serious administrative act and may have far reaching consequences not only as regards the particular chiefdom affected, but as regards other chiefdoms, if it should be done for reasons which from a native point of view are inadequate. Neither chiefs nor people in the Protectorate are accustomed to the tradition of years of good government and respect for law and order. All the chiefs at present ruling can remember when the law of the stronger was the most powerful and most continuously acting law in the country; when it was considered no discredit, though it was resented, for a chief to exercise his power in an arbitrary manner; and when a chief could frequently only make himself obeyed by exercising this arbitrary power. With these traditions it is not surprising that many chiefs should still commit acts which, from a European standpoint, are acts of oppression and should, even when they are right in principle, be too extreme in their action. Mistakes of this sort occur even in civilised countries and will only be lessened as respect for law and order increased. Deposition in such cases would be a mistake, would weaken the authority attaching to the office of chief since it would make chiefs afraid of exercising that authority in any form, and would encourage the more unscrupulous of their subjects to disregard the chief. In the punishment of chiefs for misgovernment, the important point of view as a rule is not the European but the native, the manner in which the most enlightened native opinion regards the behaviour of the chief, and whether this native opinion considers him fit to remain a ruler.

### III. CONSTITUTION OF THE TRIBUNAL INVESTIGATING THE BEHAVIOUR OF A CHIEF WITH A VIEW TO DEPOSITION.

11. The foregoing shows the importance, not only of getting evidence as to the acts complained of, but of getting the view responsible native opinion takes of those acts.

12. For this purpose it is desirable that the Court should consist of the District Commissioner of the District and not less than two assessor chiefs. These assessors should be of the same standing as the accused and of the same or similar tribes, but need not necessarily belong to the same administrative District. In their selection care should be taken to ensure that they are not closely related to the accused and, which is quite as important, that they are not known to be at enmity with him. The District Commissioner will select the assessors before the enquiry is held and will communicate their names to the accused chief. The accused chief should be given the right to name a third chief as assessor: if he wishes to exercise this right this third assessor, will be summoned by the District Commissioner in the same manner as the other assessors. The accused chief may object to one of the assessors on the ground that he is his enemy. A District Commissioner of some experience will as a rule know the feelings of the chiefs well enough to avoid this; but it may happen, and the District Commissioner should then either select another assessor, or ask a number of the paramount chiefs either to nominate an assessor or to state in their opinion if the objection raised is a reasonable one.

## 13. "A". Anterior to the enquiry.

It is advisable to remember that Chiefs are rulers and are possessed of considerable powers and that nothing should be done to diminish the importance of the office in the eyes of the people, nor, as far as can be avoided, to degrade the chief concerned. It should be made clear that action is taken because the chief is believed to have violated native laws and principles of native administration.

It may be possible to allow a chief to remain in his chiefdom and to exercise his powers up to the time of the enquiry. In other cases it may be desirable to remove him from the chiefdom either because it would be impossible to get any evidence so long as he was in the chiefdom or, because feeling might be so strong against him that it was unsafe for him to remain. In such cases the chief should reside, pending the enquiry, in another chiefdom or should be instructed to come in to District headquarters and stop there till the enquiry is held.

Where a chief has been plotting rebellion it may be necessary to arrest him and detain him in gaol.

The nature of the charges laid will determine the action to be taken in each case.

14. The accused chief should be given formal notice of the charges laid against him, and these charges, while put in general terms, should be as clear as possible; he should also be told that further details can be given him if he so desires.

When he is in charge of another chief pending the enquiry this chief should also be made acquainted with the nature of the charges.

## 15. "B" PROCEDURE AT THE ENQUIRY.

The circumstances of the case will determine whether the enquiry should be held in the chiefdom affected or at District headquarters or elsewhere. The enquiry should be held with considerable ceremony, more than is customary at the District Commissioner's Court, and the procedure should resemble that applicable to a Criminal trial, but somewhat greater scope should be allowed in the evidence of witnesses on both sides. The chief should not be put in the dock. Every facility should be afforded him to call witnesses in his defence. The evidence should be taken down in full and the chief allowed to cross-examine witnesses. The assessor chiefs should also be invited to examine the witnesses.

16. After the defence, the assessor chiefs should be asked whether in their opinion the charges brought against the accused have been proved; these opinions should be given in open Court and should be written down.

17. The further point which has now to be considered by the District Commissioner and assessors is whether the charges proven are so grave as to warrant the extreme penalty of deposition; it is advisable that this should be considered by the District Commissioner and assessor chiefs in private before any announcement is made in court. In the private meeting the views of the assessor chiefs should be taken and written down; should there be any difference of opinion between them and the District Commissioner, their reasons should also be taken down.

18. The accused chief should then be informed in open court of the decision arrived at by the District Commissioner and the assessors; but it should be made clear that this is not a final decision but the recommendation of the District Commissioner and assessors.



Governor. Where, as may happen, the assessors recommend a less severe penalty than the District Commissioner considers would meet the case, the decision given by the District Commissioner in court should be very carefully worded to prevent any damage to his prestige, should the Governor (as in rare cases may happen) decide in favour of the lesser penalty. The accused chief should be informed that the full report of the proceedings and not merely the recommendations of the court of enquiry will be forwarded to the Governor, and that any appeal he may desire to make may be transmitted, at the same time or sent direct to the Governor. He should be given a reasonable time, i.e. a few days, in which to decide, and a note of his decision should be made on the proceedings.

#### 19. NATURE OF THE RECOMMENDATIONS THAT MAY BE MADE.

Deposition may be recommended.

In other cases the evidence may shew that a less penalty than deposition would meet the case. This should not happen frequently, as the District Commissioner should avoid instituting deposition proceedings unless he has in the first instance satisfied himself that the charges are of a grave nature.

In some cases a fine may meet the case. In others the temporary absence from the chiefdom under the care of another chief in the same or in another district would be a suitable course to pursue. This recommendation should not be made, however, unless it is the spontaneous recommendation of the assessor chiefs and they are of opinion that it is the most suitable punishment for the offence proven against the accused.

#### "C". PROCEDURE SUBSEQUENT TO THE ENQUIRY.

20. As soon as possible, a full report of the proceedings with the opinions and recommendations of the assessor chiefs and of the District Commissioner shall be forwarded to the Colonial Secretary for submission to the Governor. A note should be made in the proceedings showing whether the accused chief had intimated his intention to appeal.

21. When deposition is recommended, the District Commissioner has to decide what course is to be adopted as regards the chief, pending the receipt of the Governor's decision. Obviously the exercise of his powers as chief must be suspended and the principal men of the chiefdom should be instructed to arrange for the carrying on of affairs. In Temne chiefdoms there are officials (possessing different titles in different parts of the country) whose duty it is to manage the chiefdom when for any reason the chief is unable to do so. Amongst the Mendis it is generally the Chief's Speaker or "Lavari" who undertakes this. The temporary arrangements necessary will as a rule be left in the hands of these officials unless, of course, they have been implicated in the chief's wrongdoing and have been accused with him.

22. When deposition is recommended, it is inadvisable that the accused chief should remain in his chiefdom. In some cases, he may be allowed to live in an adjoining chiefdom; in others, it may be advisable to keep him at headquarters in charge of the headquarters chief. In extreme cases, it may be necessary to lodge him in gaol.

The District Commissioner will, naturally, consult the assessor chiefs and may, if he think fit, consult the principal men of the chiefdom affected as to the best course to adopt with respect to the place at which, and the conditions under which, the accused should be kept pending the receipt of the Governor's decision, but the District Commissioner must be the sole judge as to the action to be taken, since the responsibility for the satisfactory administration of his district is his.

23. This should be made as formal as possible.

The assessor chiefs should be warned to attend, and the chief affected informed of the receipt of the Governor's approval of the deposition. Representatives of the chiefdom should be summoned. The chief to be deposed should attend with the insignia of his office and, after the announcement of his deposition has been made, those insignia should be handed over by him to the care of the principal men. Insignia given by the Government, such as a staff, should, of course, be taken charge of by the District Commissioner.

24. When deposition is recommended, the District Commissioner has further to consider whether deportation is necessary. When the offence is one committed against the Government, deportation is obviously indicated; it would not be wise to allow a chief deposed for disloyalty to remain in a chiefdom to serve as a focus for further trouble. When the offence is one of mal-administration and oppression the question to decide is whether the regent or new chief will be able to carry on if the deposed chief is allowed to remain in the chiefdom and possibly to intrigue against him. An important point is the size and power of the following the deposed chief can command. The assessors and principal men of the chiefdom will be able to give much useful advice on this subject, and the District Commissioner will do well to be guided by their advice.

When deposition has occurred, for instance, for incompetence due to senile decay or to persistent and hopeless intemperance, it will, as a rule, be quite safe to allow the deposed chief to remain in his chiefdom. It should be noted, however, that deposition will be necessary for these reasons only in cases where the chief has refused to listen to advice from the District Commissioner and other chiefs to appoint a regent; and it should be made quite clear that if he in any way interferes so as to hamper the action of the regent or the new chief, he will be deported.

25. It will not be practicable to proceed with the election of a new chief immediately after deposition; and a regent will be required. In some of the tribes, their organisation provides for this and there is no necessity for any special arrangement; amongst others, such as the Mendis, the Lavari or chief's speaker will take his place pending the appointment of a new chief; but where the Lavari has been associated with the chief in his act of oppression this course may be undesirable and other arrangements may be required. These should be left to the principal men of the chiefdom aided by the assessor chiefs. The District Commissioner, however, should see that the Regent is formally appointed and brought before him in open Court before the proceedings are closed. It has to be decided whether the deposed chief should be allowed to take any part in the appointment of a regent. If he has been deposed for open rebellion or for acts in defiance of Government orders he should not be so allowed. If his deposition is due to mal-administration he may be so allowed, provided the principal men of the chiefdom and assessors chiefs so advise the District Commissioner.

#### V. EXPENSES OF THE PROCEEDINGS.

26. As a general rule, the expenses of proceedings so far as assessor chiefs are concerned should be borne by the chiefdom concerned and not by the Government. Witnesses should pay their own expenses.

27. It is a native custom that when outside chiefs are called to settle a dispute they should receive presents in money or in kind for their

an opinion too unfavourable to the side making the present. To secure impartiality it is advisable that the District Commissioner should fix what he considers to be a reasonable sum for the expenses, should receive this from the people of the chiefdom and, in their presence, pay it to the assessor chiefs. In certain cases, it may be desirable for the Government to bear all or part of the expenses. This might occur when the enquiry is prolonged, when long journeys have to be made to the place of enquiry, or in time of great poverty. When the enquiry is held for offences committed against the Government, the Government should in all cases bear part of the expense. In addition to payments to the assessors for their services, it may be necessary to make some payment to the chief of the town in which the enquiry is held, in the rare cases in which the enquiry is held in another chiefdom and not at District headquarters.

## VI. CONCLUSION.

The foregoing taken in conjunction with Standing Instruction No. 9 of 1910 should provide some assistance to District Commissioners in investigating serious complaints against the administration of the chiefs in their districts, and, while primarily intended for paramount chiefs, may, in certain cases, require to be applied to subchiefs.

A. FARRAR,

Acting Colonial Secretary.

Colonial Secretary's Office,  
Freetown, Sierra Leone,  
22nd August, 1910.

M.P. 4684.



# STANDING INSTRUCTION.

SECRETARIAT No. 1 OF 1917.

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APPENDIX E

FROM  
THE COLONIAL SECRETARY  
TO

ALL DISTRICT COMMISSIONERS.

By direction of His Excellency the Governor the following instructions, prepared by the District Commissioner of the Karene District, are forwarded for your information and guidance and that of the Assistant District Commissioners in your district.

E. EVELYN,  
*Acting Colonial Secretary.*

Colonial Secretary's Office,  
Freetown, Sierra Leone,  
12th September, 1917.

## Procedure to be followed in regard to the settlement of boundary disputes in the Protectorate.

All boundary disputes between chiefdoms should be settled by the District Commissioner himself and the following procedure carried out:—

(a) The District Commissioner should be assisted by one or more Paramount Chiefs selected from those that have no local interest in the case.

(b) The area in dispute should be visited and the best evidence procurable should be obtained and carefully heard and determined.

(c) The boundary should be marked out by cutting a road and erecting beacons along the boundary. After the road is cut it should be planted with some tree that grows readily from cuttings, such as the native plum tree, cotton tree, or the bamboo.

(d) In the event of a river or stream forming part of the boundary no road need be cut, but a beacon should be erected at the point where it forms the boundary and again where it ceases to be the boundary.

(e) After the boundary has been marked out a description in detail should be submitted to headquarters for the Governor's approval, and when approved, it should be recorded in the Intelligence Book and the

(f) In addition to recording the settlement of the boundary in the Intelligence Book, a reference should be made on the skeleton map of the district chiefdoms, giving the page in the Decree Book—thus

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### BUYA CHIEFDOM.

Decree Book Vol. 2 pages 14—17.

### ROMENDI CHIEFDOM.

(g) It is most important that the names of all Court Messengers and other Government officials who were present when the boundary was marked out are recorded, together with the names of the Tribal Rulers and Assessor Chiefs.

(h) It should be part of the settlement that the boundary road should be kept open, one chief keeping the right and the other chief the left of the road clean.

(i) The contending parties should work the boundary.

(j) These instructions should be read with those issued under Circular 83/4936/1906.

2. In cutting a boundary road the following suggestions should be ~~found useful and which I invariably adopt.~~

I fix various points along the boundary and connect up these points by getting one of the Assessor Chiefs to give me the direction by beating his drum at the point which I am connecting up, which should not be more than two miles apart. I then divide my party up into the following order :—

(a) One Court Messenger, the District Commissioner, the chiefs who have the dispute, and two road-cutters. The road-cutters just clear sufficient bush to mark the line and are relieved every ten minutes or so from the relieving gang B.

(b) Relieving gang, about ten in number, in charge of a Court Messenger and one of the Tribal Rulers.

(c) Road-cutters, any number from 50—100, in charge of a Court Messenger and Tribal Rulers widen the road made by A.

(d) Road-makers, 50—400, under a Messenger and the other Assessor Chief and his staff, make the road, erect beacons.

H. G. WARREN,

*District Commissioner,  
Karene District.*

District Commissioner's Office,  
Batkanu,

17th August, 1917.

# Secret Societies in SIERRA LEONE.

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APPENDIX F

PUJEHUN,

*30th September, 1916.*

SIR,

I have the honour to report that a case recently occurred near Pujehun in which a leopard attacked a man named Songa who defended himself with a machete and succeeded in wounding the leopard so severely that it abandoned its victim but was unable to escape (its two forefeet were practically severed) and was subsequently despatched by the man's friends. The leopard, a very old female specimen, was carried in Pujehun on a pole and its victim managed to walk to the hospital, where he was able to give a very clear account of what occurred. Unfortunately, although not very severely mauled, Songa died two days afterwards probably from shock and a weak heart or, possibly, from blood poisoning and a weak heart. He was attended by the Medical Officer, to whom the dead leopard was presented.

2. As this district has a bad reputation in regard to secret societies I am tempted, very briefly, to relate my own experiences in connection with such matters terminating as they have with the above very interesting case. It has struck me also that they may be of interest to Assistant District Commissioners who have recently joined the service and who have not yet come into contact with such matters; they may also help them to appreciate the necessity of approaching such cases with an open mind.

3. In 1911 the disappearance of a boy in Tonko Limba country, in the Karene District, was attributed to a Human Alligator Society. I committed four persons for trial in connection with this case who were convicted and sentenced to death. The evidence was based on confessions which led to the finding of the bones of the boy and the marks of fires where he had been cooked and eaten. The prisoners also confessed in open court. (Townsend, C. J., Samuel Barlatt, Crown Prosecutor.)

4. Shortly after the above arrests were made, a man was brought into my office at Batkanu who stated that he had been attacked on the road by two young leopards, which he had beaten off with a stick. He displayed scratches on his head and shoulders, but they were not severe. I was inclined to be suspicious at the time and to think that perhaps he had been sent to the office purposely to mislead me. I now have no reason whatever for disbelieving his story. Mr. Hooker will probably remember about this case.

5. Almost immediately after the above case Paramount Chief Alimami Suri, of Tambacka Chiefdom, in the same district, reported two women missing whilst drawing water in the evening from the river, and asked permission to make medicine to find out the cause, as he suspected Human Alligator Societies, or rather hinted at them. I visited Tambacka a few weeks later and stayed in the chief's compound; whilst I was there one very large and one small alligator (crocodile to be more correct)



they had gorged. I was present when these crocodiles were cut open; in the stomach of the big one was found some twists of human female hair, some pieces of blue country cloth, and two copper and brass finger rings which were at once identified as the property of the missing women by friends and relations who were present. One of the rings was presented to me and is still in my possession. There was general rejoicing at the death of the crocodiles. Mr. Hooker knows about this case.

6. Previous to this several persons were reported to have disappeared in the Malal Chiefdom of the same District under suspicious circumstances. A number of arrests were made, but the accused persons were released by me for want of evidence, but were subsequently re-arrested when I visited the Malal Chiefdom and obtained fresh evidence. I committed these persons for trial, Mr. Hooker committed others in connection with the same case, and a considerable number of convictions were obtained in the Circuit Court (Van der Meulen, Ag. C.J.) on charges of being members of an unlawful society.

7. In 1911 the late Chief Tamba Kira, of Symiria Chiefdom, Koinadugu District, informed me shortly before his death that he feared there were secret societies in his chiefdom, that they existed there many years ago, but were stamped out by burning persons against whom there was very strong evidence. Two years later a series of deaths occurred in this chiefdom under circumstances of the very greatest suspicion. Full inquiries were held, but the evidence was insufficient to commit anyone for trial. Shortly afterward a fresh death occurred, the victim's skull exhibiting the same small round holes in pairs, the centres of the holes being exactly equi-distant apart as was the case in the previous victims. These holes suggested an instrument like an ordinary steel kitchen fork with two prongs, and could not in my opinion possibly have been inflicted by either a leopard or a hyena. The thinnest parts of the skull were pierced. A number of persons were committed for trial but, unfortunately, the evidence was not sufficient to bring them to trial. The following year fresh deaths occurred in the same neighbourhood. The paramount chief and principal men of the chiefdom were convinced that these and the previous cases were the work of an unlawful society. Again the evidence was considered insufficient to bring the accused persons to trial although they were committed. At the request, however, of the chief and headmen of the chiefdom, about twelve of them were deported from the district. Since then I understand no further deaths of a suspicious character have occurred in that neighbourhood.

8. In 1912 the late Chief Kalawa informed me that he suspected that some members of a secret society were coming over to his chiefdom from Bomballi country, and that he was having them watched. The Chief of Safroko also hinted at the same thing. Nothing transpired in these chiefdoms, but some time afterwards, whilst I was staying in the chief's town, a large leopard was killed. The body was placed on a litter at night, a bandage was tied round its head completely covering its face, and it was paraded round the town amidst great rejoicing, the bearers dancing. I was never quite certain why the leopard's head was bandaged, *i.e.*, whether it was regarded as a witch, the villagers hoping the death of the leopard involved the death of a witch, *i.e.*, a human leopard, or whether young people and women were tabooed from seeing a leopard's face as is the case with the end of an elephant's trunk, which none but hunters may see. I considered it better not to enquire too closely into the question. No objection was made when the ceremony was over to my removing the bandage and examining the leopard's teeth. The interpreter and some of the court messengers know about this case.

9. In the same year Chief Fa Kullu, of the Kullu Chieftdom, in the extreme south-east corner of the Koinadugu District, travelled a great distance to report that a child had been killed by a leopard in a village close to his own town. The chief stated that the leopard had also killed a number of sheep, and had eventually been killed by a hunter. He produced the leopard's skin, stating that his sole reason for reporting the case was that he did not wish the chieftdom to get a bad name. He also stated that in former days leopard societies existed in that part of the country but had been stamped out by his forefathers by burning persons against whom there was very strong evidence; on the other hand, he did not believe any societies of the kind existed at the present day, but leopards were common. Over a year later I was travelling in that part of the country when the chief once more reported that a leopard was active in a neighbouring village. This leopard was actually shot whilst I was in the chief's town, and skinned by a court messenger. I made a record of the first case in the complaint book at Kaballa. The interpreter and some of the court messengers know about the second case.

10. In 1914 the paramount chief of the Warra-Warra South Chieftdom, in the same district, an old blind man who resides in a village called Yagala, situated in a mountain a few miles from Kaballa, was seized and bitten in the leg by a leopard whilst lying on his bed one afternoon. The regent chief suspected this to be the work of a secret society and made a number of arrests. From the evidence I heard it appeared that the accused persons had openly boasted, probably in a spirit of jesting bravado, that they possessed the power of turning into leopards at will, but that they always took care to confine their operations to goats, sheep, fowls and antelopes, and had nothing to do with the accident to the chief. The chief himself, when well enough to give evidence, dispelled any doubt on the matter by stating that he was perfectly certain that a real leopard had attacked him, as he had not only heard it prowling and snuffing round the house, but had also smelt it. It was proved also that goats had been recently killed round the village. The accused persons were dismissed with a word of advice.

11. At the end of 1915 a man was killed by a leopard in the Kunniki Barrina Chieftdom, of the Ronietta District. The chief and headman of the village at once reported the circumstances to me and seemed much perturbed lest their good reputation should suffer. From their account I had no reason to believe that death in this case had been caused by anything other than a real leopard. The victim was asleep in his kunko when a leopard entered in the night, sprang upon him, and broke his neck. The following night a sheep belonging to the dead man was tied in the same kunko and was seized and killed by a leopard. I visited this chieftdom early in 1916 and the chief complained that the neighbouring Timne Chiefs were laughing at him over this case and were openly hinting at the existence of a secret society. I accordingly investigated the case and heard evidence. The dead man was a stranger from Futajallongh, who had come with a friend to trade. His friend was still in the chief's town when I arrived and he expressed himself satisfied that deceased had been killed by a real leopard, but asked me to furnish him with a certificate to the effect that I had investigated the circumstances and was satisfied as to the cause of death, as he would be asked questions by deceased's relations when he returned to his country and reported the matter. This I did. He remarked that in his own country not only leopards and hyenas, but also lions, sometimes killed people.

12. In 1916 the younger of two brothers, professional snake charmers, met his death through snake bite whilst dancing in public with a tree cobra, the deadliest of West African snakes, round his neck. The headman at once arrested the elder brother,

who had previously danced with the snake, and brought him, together with the cobra, which had not been killed, and all witnesses before me, and appeared in great trepidation lest I should imagine that a secret snake society existed in his village.

13. The above facts have led me to draw the following conclusions in regard to secret societies in this Protectorate. 386

(a) That they are not as common as is generally supposed.

(b) That they are unorganised and not connected. The membership is usually small and confined to a few people in one or possibly two or three adjacent villages.

(c) That the object of the societies is not cannibalism, but witchcraft, *i.e.*, that the ambition of the members is to become "witches" and to be able to turn into leopards or other wild animals at will. As they cannot obtain this end, they do the best they can by imitating leopards, etc., as closely as possible with great secrecy, and the ceremonies which such secrecy would naturally involve. Their reward is the mystery and terror they create in the minds of other natives who, from their childhood onwards, have firmly believed that certain persons through witchcraft possess the power of turning into wild animals. In the Gambia a similar class of person existed (fortunately very rare) known as "Buah," or witch, *i.e.*, a person who possessed the evil eye and who had the power of gradually killing people by merely associating with them or looking at them. I have seen a man brought to me after being most unmercifully handled by a crowd of indignant natives for stating that he possessed those powers, refusing to accept advice to make a solemn declaration that he possessed no such powers and had made the statement as an idle boast. This man agreed to leave the district before he would make such declaration; in other words, he was prepared to submit to anything rather than admit he did not possess the powers that were attributed to him.

(d) That all the chiefs I have come into contact with are very fully alive to the evils of such secret societies and they are only too willing to do their best to stamp them out, provided they are not afraid, and see that the possibility of deaths caused by wild animals are recognised.

(e) That deaths which may have been caused by wild animals may be made the subject of political plots.

W. B. STANLEY,  
*District Commissioner.*



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I. Government Records and Publications

## A. Unpublished Official British Archives, Public Record Office, London

Colonial Office series 267 contains Governors' dispatches to the Secretary of State and letters to the Colonial Office relating to Sierra Leone from other government departments, public agencies, and individuals. Ordinances can be found in Colonial Office series 269, the Sierra Leone Royal Gazettes in 271.

The Colonial Office Confidential Prints, series 879, are dispatches and reports reprinted and bound by topic, for circulation and use within the Government/Colonial Office.

The Minutes of Evidence, Correspondence and Draft Report of the West African Lands Committee (1046-1048) and papers relating to medical and sanitation matters (especially 999 and 1031) were among those relating to West Africa which were of most value to this study.

## B. Published Official Sources

## 1. Parliamentary, or Command, Papers

Certain reports and correspondence were made public by publishing them as volumes of Parliamentary Papers, arranged chronologically not topically.

The following Command Papers were among those used: Parliamentary Papers 1899 Cmd. (command paper) 9388 and 9391 The Chalmers Report; 1913 Cmd. 6961

Measures Adopted to Deal With Unlawful Societies in the Protectorate; 1923 Cmd. 2374 Memo by the Advisory Committee on Native Education in British Tropical African Dependencies; 1926 Cmd. 2744 Report by Ormsby-Gore on visit to Africa.

## 2. Statistical Information and Miscellaneous Data

- a. Annual Reports for Sierra Leone in the Blue Books of Statistics are Colonial Office Series 272 and also available at many libraries including the National Library of Scotland, Edinburgh; and the New York State Library, Albany.

- b. Colonial Office Lists are located, among other places, in the libraries of the Colonial Office and the Royal Commonwealth Institute in London and the National Library of Scotland in Edinburgh. These publications are particularly useful for information concerning Colonial Servants.

C. Sierra Leone Government Archives Fourah Bay College, Freetown

At the time this writer used the Archives they were still in the approximate order made by C. H. Fyfe. His catalogue of the holdings can be found at the Colonial Office Library and in the Sierra Leone Room of the Fourah Bay College Library, and are particularly useful for the contents of three of the four rooms in which the archives were stored in 1968. Although Letter, Minute, Intelligence and Decree Books, and Circulars and Standing Instructions found in rooms 2 and 3 were consulted for this study, the greatest portion of available research time was devoted to the contents of room 4.

Most of the unique material pertaining to the Protectorate was in the form of unbound local minute papers. These files would originate with letters, reports or petitions from the Governor, Colonial Secretary, department heads, district administrators, non-government agencies and associations, or private citizens. In theory, all subsequent comments and reports on the matter were to be included in that file. In practice it was not unusual for other papers to be started on particular aspects of a larger issue, for example, proposals for reforms in the house tax assessment and collection systems arising from the reports on Fairtlough's maladministration of the Northern Sherbro District.

The unbound papers and files are grouped in tied bundles arranged by year in numerical order for those minute papers originating from the Colonial Secretary, and otherwise by descriptive categories such as PE(titions), A(uditor), CJ (Circuit Court Judge), and DC for various districts. The tendency in the earlier years of the 20th century appears to have been to make these topical distinctions as infrequently as possible. As a result it is predominantly the latter years of the 1899-1919 minute papers which are bound in numerous category divisions. Certain minute papers were re-numbered and re-classified as confidential. Similar to

Colonial Office Confidential Prints, these files would contain parts or all of related minute papers of past years.

Many cited items are missing and there are obvious gaps in sequences of such items as Decree and Intelligence Books no less than of minute papers. Use of the existing material is hampered by the fragile, deteriorating state, particularly of the unbound, bundled papers. Nevertheless, the contents of the Sierra Leone Government Archives provide incomparable insights into the administration of the Protectorate from the local point of view. Whereas the minutes of the Colonial Office were instructive of policy formation and domestic and Imperial priorities, the local minute papers reveal the daily undertakings and attitudes of the administrators, and, to a lesser extent, of the administered.

## II. Manuscript Collection

The collection of the Evangelical United Brethren, housed at their Historical Society in Dayton, Ohio, contains the reports and correspondences of the United Brethren in Christ missionaries. In addition, there are conference and session minutes and U. B. C. publications. Woman's Evangel and Sierra Leone Outlook were two periodicals issued by the U. B. C. Specific pamphlets and books are listed in that section of these bibliographical notes.



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## Addenda

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|----------|-------------|---|
| Page 361 | bottom line | 'cover the well, and it should be enclosed to prevent cattle approaching. '           |
| Page 362 | bottom line | 'between them. Both officers should point out to the chief'                           |
| Page 363 | bottom line | 'winds will not blow from it to the town. '   |
| Page 383 | bottom line | 'were caught in the river on large iron hooks baited with large pieces of meat which' |